



United States  
Department of  
Agriculture

Agricultural  
Marketing  
Service

STOP 0253- Room 2610-S  
1400 Independence Ave. S.W.  
Washington, DC 20250-0253

**ANNOUNCEMENT LS-12**

**June 2004**

**PURCHASE OF FROZEN, COOKED PRODUCTS  
FOR DISTRIBUTION TO CHILD NUTRITION  
AND OTHER FEDERAL FOOD AND NUTRITION PROGRAMS**

**I. GENERAL**

- A. The United States Department of Agriculture (USDA) will periodically issue Invitations under this Announcement for offers to sell to USDA frozen, cooked products as described in the attached References to Applicable Bid and Contract Provisions (Exhibit A). In addition to product description, this exhibit also provides information on the applicable Item Description and Checklist of Requirements (IDCR) for each frozen cooked product.

The frozen cooked products will be purchased on a competitive bid basis from suppliers who have met the requirements described in Section I.D.5. Interested suppliers may submit samples and technical proposals at any time during this purchase program. Suppliers should allow 10 working days from receipt of the technical proposal by USDA for notification of results of the evaluation of the cooked product sample(s) and technical proposal(s) from the Contracting Officer. Following notification of acceptance of the cooked product(s) and technical proposal(s), a supplier should promptly request a pre-award supplier assessment audit as outlined in Section I.D.5. A supplier is deemed eligible to bid after notification by the Contracting Officer.

Submission of sample(s) and technical proposal(s) is not binding on USDA. Actual purchases will be on a competitive bid basis as described in this Announcement and separately issued Invitations. The Invitations will specify the product type, offer date, closing time for receipt of bids, shipping period, destinations with any transportation restrictions, and any other provisions applicable to the proposed procurement, which are in addition to or different from those set forth herein. (see Exhibit B for an example of an Invitation.) Bids solicited under this Announcement and applicable Invitations are for delivery of products to USDA on an f.o.b. destination or f.a.s. vessel basis only.

Additional bid and contract provisions are included in the Annual Certifications, Representations, and Warranties (Appendix-1) and the General Terms and Conditions for the Procurement of Agricultural Commodities or Services, Revision 2, dated November 1984, and Amendments 1, 2, 3, and 4 dated October 1990, November 1990, August 1989, and March 1990, respectively, hereinafter referred to as USDA-1.

- B. Offerors are cautioned to carefully read this Announcement, Appendix-1, USDA-1, Invitations, IDCR, and applicable instructions of the Agricultural Marketing Services' (AMS), Audit, Review, and Compliance (ARC) Branch. Failure to do so will be at the Offeror's risk. These documents are incorporated into the contract (see Section IV. of this Announcement). Offerors are cautioned that statements made by persons other than the Contracting Officer, written or implied, are not binding on the Government unless confirmed in writing by the Contracting Officer.

### C. Offer Prices and Evidence of Delivery

Offer prices must be quoted and delivery of product must be on the basis of f.o.b. trucks or railcars at destinations or f.a.s. vessel as specified in the applicable Invitation. Certain destinations require delivery by TRUCK ONLY or RAIL ONLY and will be so identified in the Invitation. **All products whether shipped by truck, rail, or piggyback must be palletized and stretchwrapped in accordance with instructions contained in the IDCR and the contractor's approved technical proposal, unless the Invitation and subsequent contract specifies "NO PALLETS." Contractors may arrange for pallet exchange with consignee, however, USDA is in no way responsible for such arrangements.** Destinations not participating in a pallet exchange program will be noted on Invitations. Offers submitted on a basis other than f.o.b. destination or f.a.s. vessel will be rejected as nonresponsive.

When notified of shipments, consignees may request upgrading of delivery services; for example, delivery within the consignee's premises or to a specific room within a building. Such delivery terms are beyond USDA contractual requirements. Any negotiations to upgrade services are between contractor and consignee and any additional charges for special delivery terms are between the consignee and the contractor. Any charges invoiced to USDA for additional delivery services will be denied.

When making deliveries to more than one destination from the same railcar, the quantities required at each stopoff must be placed in separate compartments under seal. Each railcar compartment must be stacked in a manner that will preclude containers shifting while in transit.

Contracts will be awarded on an f.o.b. destination or f.a.s. vessel basis with quality assurance determined by USDA through a pre-award assessment and post-award audits described in Section I.D.5. Contractor must furnish, in support of the contractor's invoice, a Certificate of Conformance (COC) [see Exhibit C] and a copy of the signed commercial bill of lading indicating the carrier's receipt of the product covered by the invoice for transportation to the destination specified in the contract. If transportation is provided by other than common carrier, the Contractor must attach to the invoice a receipted copy of the appropriate delivery document evidencing date of delivery and quantity received at the destination specified in the contract.

### D. Responsibility of Offeror

#### 1. Annual Certifications, Representations, and Warranties

An offeror intending to submit bids must complete Annual Certifications, Representations, and Warranties in Appendix-1 and return it to the Contracting Officer at the mailing address listed in Section II. A. of this Announcement prior to the submission of its initial bid. The Appendix must be signed by an officer of the company. If there are any changes or revisions to the annual Appendix-1, offeror must submit an updated Appendix to the Contracting Officer or submit corrections or revisions prior to bid submission.

## 2. Standard Form 129--Solicitation Mailing List Application

An Offeror intending to submit bids must also complete a Solicitation Mailing List Application (SF-129) and return it to the Contracting Officer at the mailing address listed in Section II. A. of this Announcement prior to the submission of its initial bid.

All items (except Item 18) of the SF-129 must be completed. (see Exhibit D). Offeror must also include the following information for Items 4, 8, 10, 14, 16B, 19, and 20:

Items 4 and 8: Employer's identification number.

Item 8: Identify all affiliates of Offeror (applicant as shown in 4) by providing full name, main office address, and employer's identification number and Tax Payer Identification Number (TIN) of the affiliates. An "affiliate" is defined on the back of the SF-129.

Item 10: The product purchased by USDA which the Offeror is interested in supplying weekly volume of production, capacity, and percent of capacity available for USDA contracts. Attach separate list if additional space is needed.

Item 14: Company's TIN

Item 16B: Identify the freezer or warehouse to be used and its storage capacity.

Items 19 and 20: Must be an officer of the company.

**Offeror must certify with each bid to the accuracy of the current SF-129 and Appendix-1 on file with the Contracting Officer.**

## 3. Responsibility

A firm submitting an offer under this Announcement must meet the Federal standards for responsibility contained in Title 48 C.F.R. Subpart 9.1, USDA-1, this Announcement, and Invitations. A determination of the responsibility contained in Title 48 C.F.R. Subpart 9.1 must be made prior to a firm submitting a technical proposal and sample evaluation. Facilities used in fulfilling USDA contracts must be operating under the provisions of the Federal Meat Inspection Act (FMIA), 21 U.S.C. 601 et seq. and the regulations issued thereunder.

Contractor must be registered under the Central Contractor Registry (CCR) System as prescribed in Title 48 C.F.R., Subpart 4.1104 and will certify in Appendix-1 on file with the Contracting Officer.

Offeror must ensure that all products offered for USDA purchases are in compliance with applicable contract and specification requirements. Offeror shall authorize the Contracting Officer's Technical Representative (COTR) unrestricted access to all records that pertain to USDA contracts.

#### 4. Food Security Requirements

Contractor must have a written food security plan that provides for the security of a plant's production processes. The plan shall address the following areas: 1) food security plan management, 2) outside and inside security of the facility, 3) slaughter and processing, 4) shipping and receiving, 5) storage, 6) water and ice supply, 7) mail handling, and 8) personnel security. The plan will be subject to periodic review by the AMS, ARC Branch. See FSIS Security Guidelines for Food Processors at the following web address:

<http://www.fsis.usda.gov/OA/topics/SecurityGuide.pdf>

#### 5. Documentation and Assessment Requirements

To become an eligible supplier, the following must be submitted to the Contracting Officer at Agricultural Marketing Service, U.S. Department of Agriculture, Stop 0253, Room 2610-South Building, 1400 Independence Avenue, SW., Washington, D.C. 20250-0253, for evaluation and approval prior to bidding:

##### a. Technical Proposal Requirement:

- 1) Include a detailed description of each item planned to be offered and each of the production steps taken to meet or exceed the minimum product requirements set forth in the applicable IDCR. (Plan/Do)
- 2) Describe all the quality assurance methods used to verify conformance to all requirements. This will include the monitoring and measurements taken during the process to verify conformance with each requirement. All measurement results shall be recorded and made available to AMS. (Check)
- 3) Identify all corrective actions to be taken if deviations from contractual and specification requirements occur during production, and all preventative actions to be taken to preclude a reoccurrence. (Act)
- 4) The technical proposal shall follow the format as describe in Section II. E., Technical Proposal format. Offeror's proposal should be brief and concise.
- 5) The proposal shall be preceded by the following, as required by the template:
  - a) Table of contents listing the major areas as they appear in the technical proposal template; and
  - b) List of attachments, forms provided with the proposal, if appropriate.
- 6) The technical proposal should be written in the following format:
  - a) Plan and Do - A description of the planning and production steps taken to meet each requirement.
  - b) Check - Describes all the quality assurance methods that will be used to verify conformances to each requirement. This will include the monitoring and measurement taken during the process (all measurements results shall be recorded and made available to AMS upon request).
  - c) Act - Identifies all corrective actions to be taken if deviations from contractual and specification occur during production and all preventative actions taken to preclude reoccurrences.

b. Product Sample Requirement:

- 1) Two 10 pound samples of each item offered including the label, ingredient statement and Nutrition Facts Panel that conforms to the IDCR.

**Note: A supplier must submit cooked samples that coincide with the product that is produced under the technical proposal**

The COTR will review each technical proposal to determine if the proposal and samples are adequate. The Contracting Officer will notify the supplier of the status of their sample(s) and technical proposal.

Once a supplier is notified by the Contracting Officer that samples and technical proposal meet the applicable criteria, the ARC Branch will contact the supplier to set up a pre-award onsite capability assessment.

c. Assessment by the ARC Branch

After the sample(s) and the technical proposal(s) are evaluated and approved, an ARC Branch auditor will perform an onsite assessment of the facilities, processes, and quality control program used to produce the product(s) to determine the supplier's ability to meet contractual requirements. The following assessments will apply:

- 1) Pre-Award On-site Capability Assessment:

The pre-award on-site assessment (audit) will include, but is not limited to, a thorough evaluation of the potential contractors' and subcontractors' facilities, processes, quality control program, equipment, procedures, and the appropriate documents and forms used during the production of the cooked products. Documentation must support the production of a cooked product that complies with the applicable IDCR and the potential contractor's approved technical proposal. In addition, the audit will consist of the review of records related to purchasing, receiving, production, quality control, inventory and shipping records, and interviews with management and production personnel.

Upon completion of the onsite capability assessment, the auditor will provide a report to the Contracting Officer for final review. After the samples have met the evaluation criteria and the supplier has satisfactorily completed the pre-award onsite capability assessment, the supplier will receive written notification from the Contracting Officer of their eligibility to bid.

If the report states the process is inadequate, the applicant will be notified by the Contracting Officer that they are ineligible to bid. The applicant will have the opportunity to correct identified deficiencies, modify their process and/or technical proposal, and resubmit for further consideration. Eligibility will depend on whether modifications demonstrate that the process is capable of delivering frozen cooked products in compliance with the applicable IDCR, the applicable assessment by USDA, and other applicable contractual requirements.

## 2) Post-Award Assessment

Eligible suppliers who receive contracts must have their technical proposals and supporting documentation readily available for review by AMS agents. Records may be maintained on hard copy or electronic media. However, records maintained as electronic media will be made available in printed form immediately upon request by AMS or its agents.

The ARC Branch will conduct an onsite audit of the contractor's and subcontractor's facilities and processes when production commences for the first contract awarded. Additional audits will be conducted as determined by the Contracting Officer, but not less than once per month for contractors with continuous contracts, or once per contract for intermittent contractors. At the discretion of the Contracting Officer, more frequent audits may be conducted when audit deficiencies are detected.

## 3) Post-Award Actions

Any deviation from contractual requirements will be immediately reported by the contractor to the Contracting Officer. The Contracting Officer will notify the contractor regarding eligibility to continue to participate as a contractor.

Contractor will assure that the delivered product complies with the provisions of the IDCR, the applicable assessment by USDA, and the contractor's technical proposal approved by the Contracting Officer.

## 6. Responsibility of Subcontractors/Suppliers

Contractor shall include, and the subcontractor must meet, the responsibility terms in paragraph D.3. of this section in every subcontract for supplies or services used by the contractor in fulfilling USDA contracts, either directly or indirectly, and obtain certification of responsibility as described in Appendix-1 to Announcement LS-12 from any subcontractors and suppliers.

Contractors shall include, and subcontractors must comply with, the domestic products clause in paragraph I.F. of this section for all subcontracts for meat or meat products used in fulfilling any contracts under this Announcement. Prior to their performance on the contract, subcontractors or suppliers of the cooked products to be used in fulfilling contracts must be approved by the ARC Branch for compliance with domestic origin and slaughter requirements.

Subcontractors or suppliers of the cooked products are (1) ineligible if they do not have a domestic product and slaughter programs approved by the ARC Branch; or if they are currently delivering late on USDA contracts or USDA-approved subcontracts and late delivery is not due to causes beyond their control; and (2) nonresponsible if they are not operating under the provisions of the Federal Meat Inspection Act or have been suspended or debarred under the provisions of 48 C.F.R. Subpart 9.4.

## 7. Past Performance

The offeror must certify to timely performance on current contracts and subcontracts in **Item 4** of the Certification Section under the Domestic Electronic Bid Entry System (DEBES) offer. (see Exhibit E). A determination that any past or current late performance was beyond the control or negligence of the contractor or the contractor's subcontractor **must be made by the Contracting Officer prior to bid opening**. An offeror will be deemed nonresponsive if the offeror **or any of its affiliates or subcontractors** are delivering late on other contracts or subcontracts with USDA and the late delivery is not due to causes beyond the contractor's or the contractor's subcontractor's control. This provision, as it pertains to small business, is a deviation from 48 C.F.R. Subpart 19.6.

**A false certification may result in rejection of the offer, suspension and debarment by USDA, termination of the contract, liability for damages under the provisions of USDA-1, or criminal prosecution.**

Offerors are cautioned NOT TO BID on product quantities exceeding a level that the offeror can reasonably expect to deliver in accordance with the contract schedule. On-time delivery is imperative because this product is used in school lunch and other USDA Federal food and nutrition programs. Late deliveries cause serious and substantial damages to USDA and to recipient agencies, some of which cannot be compensated for by liquidated damages.

Contractor shipping late on contract(s) must immediately notify the Contracting Officer of late shipments. If the contractor intends to request an extension due to causes beyond the control or negligence of the contractor, such notice must be made to the Contracting Officer 3 business days in advance of a bid opening in which the Contractor wants to bid. Notification and request for extension must include: (1) documentary evidence of causes beyond contractor's control for each day requested, (2) a production report of completed and/or expected production, including pounds and dates, and (3) actual delivery dates by Notice-to-Deliver (N/D) numbers (see Article 68 of USDA-1).

### E. Buy American Certification

End products furnished must be of domestic origin as defined in section I.F. below. This provision is a deviation from 48 C.F.R. Part 25 and for the purposes of this Announcement supersedes Article 49 of USDA-1. Other minor ingredients, e.g., seasonings, must comply with Article 49 of USDA-1.

### F. Domestic Products

All meat or meat products used in fulfilling contracts awarded under Announcement LS-12 must be produced in the United States. United States produced (hereafter referred to as U.S.-produced) beef and pork means manufactured from livestock raised in the United States, its territories, possessions, Puerto Rico, or the Trust Territories of the Pacific Islands (hereinafter referred to as the United States). U.S.-produced does not include imported beef or pork and cattle or hogs imported for direct slaughter. If any pork or beef products originating from sources other than the United States are processed or handled, the contractor will develop and maintain an identification and record system for these products to ensure they are segregated and not used to fulfill contracts awarded under this Announcement. Such

segregation plan must be approved by the ARC Branch and made available to the ARC Branch agent. The contractor will maintain records including, but not limited to, invoices, production and inventory records evidencing product origin, and will make such records available for review by the Government in accordance with Article 76 of USDA-1.

**Prior to performance on USDA contracts or subcontracts, contractors and meat subcontractors must obtain approval of its domestic origin program and slaughter requirements from the ARC Branch (see ARC Branch Instruction 1010 USDA Supplier Eligibility Program) for requesting reviews of these requirements.**

The contractor agrees to include this domestic origin certification clause in its entirety in all subcontracts for meat or meat products used in fulfilling any contracts awarded under this Announcement and obtain certification from each meat or meat products subcontractor that (1) the subcontractor has been approved by the ARC Branch for compliance with domestic origin and slaughter requirements; (2) the subcontractor will deliver only meat or meat products originating from U.S.-produced livestock as defined herein; and (3) meat produced under their approved domestic and slaughter plan will be shipped in containers labeled as "Domestic Only Product" on the principle display panel.

Contractor must obtain certification from suppliers either by letter that identifies product by production lot or a U.S.-produced statement on the label. Other minor ingredients, e.g., seasonings, must be U.S.-produced unless such product is not manufactured in the United States.

**The subcontractor will deliver only frozen, cooked products completely processed in the U.S.**

G. Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity

1. If the Government receives information that a contractor or a person acting for the contractor has engaged in conduct constituting a violation of subsection (a), (b), (c), or (d) of section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423) (the Act), as amended by section 4304 of the National Defense Authorization Act for Fiscal Year 1996 (P.L. 104-106), the Government may:
  - a. Cancel the solicitation, if the contract has not yet been awarded or issued; or
  - b. Rescind the contract with respect to which:
    - 1) The contractor or someone acting for the contractor has been convicted for an offense where the conduct constitutes a violation of subsection 27(a) or (b) of the Act for the purpose of either (a) exchanging the information covered by such subsections for anything of value; or (b) obtaining or giving anyone a competitive advantage in the award of a Federal agency procurement contract; or
    - 2) The head of the contracting activity has determined, based upon a preponderance of the evidence, that the contractor or someone acting for the



contractor has engaged in conduct constituting an offense punishable under subsection 27(e)(1) of the Act.

2. If the Government rescinds the contract under paragraph 1 of this clause, the Government is entitled to recover, in addition to any penalty prescribed by law, the amount expended under the contract.
3. The rights and remedies of the Government specified herein are not exclusive, and are in addition to any other rights and remedies provided by law, regulation, or under this contract.

#### H. Service of Protest

1. Protests, as defined in 48 C.F.R. part 33.101, that are filed directly with an agency, and copies of any protests that are filed with the General Accounting Office (GAO), shall be served on the Contracting Officer by obtaining written and dated acknowledgment of receipt from the Contracting Officer designated in Section II. A.
2. A copy of any protest must be received by the Contracting Officer at the FAX or mailing address listed in Section II. A. within 1 business day of filing a protest with the GAO.

## II. SUBMISSION OF OFFERS

### A. Where and How to Submit Offers

#### 1. Electronic Submission of Offers

All Offers must be submitted electronically by accessing DEBES. Browser requirements for DEBES for electronic bidding are described in Attachment III. An offeror must request and receive a DEBES Logon ID in order to access the website (see Attachment IV for the form to request a logon ID). Only suppliers deemed responsible by the Contracting Officer will receive a DEBES Logon ID.

The DEBES system will generally be available all day Saturday until 9:00 p.m., Central Time, and on Sundays from 8:30 a.m. until 3:30 p.m., Central Time. System availability may at times be subject to interruptions in service due to unscheduled maintenance.

Access the DEBES website at: <https://pcsd.usda.gov:3077/mdbc1000.exe?>

**Once connected to DEBES, follow the online procedures. Click on the “Help” button for detailed instructions on using the system or call 202-720-2650 for assistance.**

AMS will not be responsible for any failure attributed to the transmission of the bid data prior to being accepted and stored on our web server including, but not limited, to the following:

- a. Any failure of the offeror’s computer hardware or software,
- b. Availability of your Internet service provider,

- c. Delay in transmission due to the speed of your modem, or
- d. Delay in transmission due to excessive volume of Internet traffic.

If an offeror's Internet Service Provider (ISP) is not available, an offeror may submit a bid via facsimile (FAX). If an offeror plans to submit a bid via FAX, offeror **MUST** contact the Contracting Officer for approval prior to faxing offers.

**Note:** Exhibits E and F provide an example of how offers may be submitted by fax:

- e. Facilities for receiving offers by FAX are as follows:

FAX (202) 720 -0949 (24 Hours)

- f. Verification: USDA-AMS-LS-CP-Branch

(202) 720-2650 (6:30 a.m. - 4:00 p.m., Central Time, Monday - Friday)

Faxed offers, modifications, or withdrawals of offers must be addressed as follows:

Contracting Officer  
Livestock and Seed Program  
Agricultural Marketing Service  
U.S. Department of Agriculture  
Stop 0253 Room 2610-South Building  
1400 Independence Avenue, SW  
Washington, D.C. 20250-0253

**B. Where and When to Submit Offers**

Offers, modifications, or withdrawals of offers must be submitted to the Contracting Officer, Livestock and Seed Program, Agricultural Marketing Service (AMS), U.S. Department of Agriculture, Washington, D.C. 20250.

Offers, modifications, or withdrawals of offers under this Announcement must be received in the **DEBES Lockbox or, if authorized by the Contracting Officer, faxed to the USDA, AMS, LS, CP Branch not later than 1:00 p.m., Central Time**, on the date specified in the Invitation. Invitations will be issued by FAX and be available electronically through the USDA, AMS Commodity Procurement Home Page and posted on the DEBES Internet site. If the planned bid date falls on a nonworkday for USDA employees in the District of Columbia, offers, modifications, or withdrawals are to be received by **1:00 p.m., Central Time** on the next succeeding business day. Whether an offer, modification, or withdrawal is received within the time limitation will be determined by the last submission time recorded in DEBES or electronically captured at the USDA, AMS, LSP, CP Branch in the event a bid is faxed.

**NOTE:** Once AMS has established an external portal site, invitations will no longer be sent by FAX, unless requested by supplier or USDA is experiencing technical difficulties at the portal site. Eligible suppliers will be granted access to the site

and can subscribe to the appropriate folder(s). USDA will notify suppliers through a Notice to Trade.

C. Shipping Periods

Planned shipping periods by invitation are identified in Exhibit G. USDA may change this schedule or cease purchases depending on market conditions or funding considerations. Contracts will be awarded on a shipping period basis. The shipping period will be a specific period identified with each Invitation issued under this Announcement. Bidders are cautioned to refer to the applicable Invitation prior to bidding.

Shipping periods will be on the first half and second half of the month (e.g., May 1-15 and May 16-31).

D. Purchase Units

The purchase unit size for the various frozen, cooked products is shown in Exhibit A. The quantity offered on bids must be in purchase unit increments. An offeror may bid the entire quantity on the Invitation or a greater amount, but not less than one unit (e.g., 40,000 pounds). Only one offer price may be quoted to any delivery point listed from each shipping point, including combined destinations bracketed as one line item. Offerors may rearrange the destination sequence on these combined delivery units.

E. What to Submit

Electronic Bid:

An offer must include each of the following items:

**Section 1--General**

1. Name, phone number, and complete address and zip code of Offeror (include both street and mailing address if different).
2. Identify submission as a bid.  
STATE: Bid--ANNOUNCEMENT LS-12, Invitation No. \_.
3. Name and street address including zip code of (a) final processing point and (b) shipping point.

**Section 2--Offer Form**

1. Item number listed on applicable Invitation, destination, and price per pound delivered to specific destination, segregated by product type if more than one is requested.

**Notes:** For bids other than electronic, offerors may, at their own risk, exclude name of destination. Errors in item number(s) will not be apparent to Contracting Officer.

Quote only one delivered price per pound for each destination or multiple destinations listed as one item number. If more than one price per item is quoted, the line item will be ruled nonresponsive.

Estimated number of purchase units by destination will be listed on the Invitation. The offeror must not indicate the number of purchase units by destination. USDA may adjust the quantities listed on the Invitation based on offerings, market conditions, and/or program requirements.

Transportation restrictions will be shown on the Invitations.

The offeror may submit offers for as many destinations as desired. The maximum quantity to be awarded is determined by the constraints quoted in Section 3, Constraints, of the bid.

Offer prices may be quoted up to four places to the right of the decimal point. **If other than four places, any digit past the fourth will automatically be dropped.**

### **Section 3--Constraints**

1. State maximum quantity overall for each commodity type (if applicable) to be awarded and/or maximum quantity overall for both in number of purchase units and equivalent net pounds for shipment to required destinations between (date) and (date).

**Notes:** If offering for more than one processing point, be sure to indicate the number of units offered for each commodity type and/or maximum quantity overall for each processing point.

Maximum quantity offered may be greater than demand shown on the Invitation.

Total maximum quantity overall for specific product types or Invitation is optional. If total overall is not quoted, AMS may award up to the maximum for each type.

**State the applicable shipping period(s) associated with the Invitation.**

### **Section 4--Certifications**

1. For this bid, your company is designated as: (choose one)
  - ☐ Large Business
  - ☐ Large Minority Business

- ☐ Large Woman-Owned Business
- ☐ Large Woman-Owned Minority Business
- ☐ Small Business
- ☐ Small Minority Business
- ☐ Small Disadvantaged "Not 8A"
- ☐ Small Woman-Owned Minority
- ☐ Small Woman-Owned "Not 8A"
- ☐ "8a" Small Woman-Owned
- ☐ "8a" Small Disadvantaged

**Notes:** For bids submitted electronically, if default designation is incorrect, please choose correct designation and notify Contracting Officer.

2. By submitting this bid, Offeror certifies it HAS read and DOES agree to the terms of LS-12; Appendix 1; Inv. \_\_\_\_; Exhibit A dated May 2004, applicable IDCR, Contractor's technical proposal approved by the Contracting Officer; AMS Auditor's initial report; USDA-1, Rev. 2, and Amds. 1, 2, 3, and 4.

- ☐ HAS
- ☐ DOES

3. (a) Annual Representations, Certifications, and Warranties (Appendix 1) submitted to the Contracting Officer are current, accurate, and complete. Submitted to Contracting Officer (mm/dd/yyyy): \_\_\_\_\_

(b) If Appendix HAS been amended, enter date amended: \_\_\_\_\_ or N/A.

4. Offeror certifies that the SF-129 on file with the Contracting Officer is accurate and part of this offer.

- ☐ Does
- ☐ Does Not

5. All products required under any existing USDA contract(s) or subcontract(s) with a Not Later Than Date prior to this bid opening HAS been delivered?

- ☐ Has
- ☐ Has Not
- ☐ Has Not, But Has Notified C/O
- ☐ No Existing Contracts

6. By submitting this bid, offeror certifies that all products conforms with the applicable Item Description and Checklist of Requirements and no changes to the production process or technical proposal have occurred without proper approval by the Contracting Officer.

- ☐ Does

7. Show name, title, fax number, and phone number of person submitting this bid (must be an authorized company representative).

### Technical Proposal:

The following procedures establish the acceptable minimum requirements for the format and content of the proposals:

1. The Government has provided a technical proposal format which is to be used in preparing the technical proposal. (See **Exhibit H**) The offeror shall submit technical proposals in both hard copies and an electronic format either on disk (3.5" diskette or CD) or e-mail. The technical proposal shall be saved in the portable document file (PDF) format. This format and electronic form provided will aid in the evaluation of the technical proposal.
2. Offers must submit diskettes or CDs in sealed disk mailers that have been signed by the same individual signing the original paper copy of the technical proposal. Offers submitting the electronic PDF format by e-mail must have it sent by the same individual signing the original paper copy of the technical proposal. By signing both the technical proposal and disk mailer, this individual will be attesting to the data in both formats being identical. The seals on this information will be broken by the Contracting Officer only. The technical proposal must be submitted by an authorized agent of the company, as evidenced by the SF-129 on file with the Contracting Officer.
3. The offeror will submit the appropriate number of copies as stated in the table below:

| Description   | Number of Hard Copies   | Number of Diskettes/CD's |
|---|-------------------------|--------------------------|
| Technical Proposal<br>1. 8 ½" x 11" White Paper;<br>2. One sided-Single spaced (12 point font);<br>3. Proposal to be provided in protected document holder; and<br>4. Proposal submitted with all capital letters will be returned to offeror without further review. | 3 (Original + 2 copies) | 1                        |

4. While it is not the desire of the Government to penalize an offeror for noncompliance with formatting instructions, technical evaluators may have difficulty grading the technical proposal to the fullest extent possible. Technical evaluators will not be required to search other subsections or sections of the offeror's technical proposal for information requested for evaluation.

**Note: All hard copies and diskettes/CDs shall be mailed to the Contracting Officer at the address stated in Section II. A.**

### Technical Proposal Revisions

Changes to an offeror's technical proposal may be submitted based on the Government's Amendments, Clarification Request, pre-award and post-award assessments, or at the request of the offeror. Maintenance of the integrity and clarity of each technical proposal is critical. All technical proposal revisions must meet the following criteria:

1. Any changes to a technical proposal made by the offeror after its initial submittal shall be accomplished by submitting replacement pages or an entire technical proposal package. A cover letter must be submitted with the changes identified and an explanation of the need for the change. The offeror shall include the revision date and the appropriate page number(s).
2. Must be submitted in the same number of copies as the initial technical proposal and must have the same information provided on revised diskettes/CDs. The revised diskettes/CDs should contain only the pages that are being changed. Additional pages should be numbered using a page number suffix (e.g. 1.1, 1.2, 1.a., 1.b).
3. Submit changes to the technical proposals as a complete page change for each page on which a change occurs. Changes from the original page shall be on blue colored paper and the changes in text shall be **highlighted** or **bolded** and deletions in ~~strikeout~~.

### III. ACCEPTANCE OF OFFERS

The USDA will award contracts to offerors deemed eligible and responsible and whose bids conform to the Announcement and the applicable Invitation and whose bids are most advantageous to the Government in terms of, but not limited to, price, quantity needs at the specified destinations, and cost. The USDA requires a minimum acceptance period of 7 calendar days from the acceptance of offers. Acceptance of offers will be made by FAX filed at Washington, D.C., not later than midnight, local time, the seventh day following the day for receipt of offers. The official time of award is the date and time stamped on the contract faxed from the AMS, LS, CP Branch. Transmission of the contract is the official notice that the contract has been awarded. A notice of award will also be issued in the form of a Food Purchase Report (FPR) posted at the Department's Office of Information, News Division, after **1:00 p.m., Central Time** on the day of acceptance. Information on awards will be available by telephone to bidders and interested parties promptly following the posting of the FPR or electronically through the **USDA, AMS Commodity Procurement Home Page** (see Notice attached). Inquiries may be made to a USDA-AMS Market News office or the Contracting Officer.

Failure to accept an offer will constitute rejection. Filing of the acceptance wire as specified above will result in a binding contract without further action by either party. The actual time of award described herein deviates from 48 C.F.R. 14.408-1.

### IV. PROVISIONS OF CONTRACT

The contract consists of Announcement LS-12; the applicable Invitation; applicable IDCR, applicable ARC Branch instructions; contractor's or subcontractor's (manufacturer's) technical proposal approved by the Contracting Officer, the AMS Auditor's initial report, Contractor's offer including SF-129 and Appendix 1; the acceptance by USDA; USDA-1, and the Federal Acquisition Regulations, 48 CFR Section et seq. The following USDA-1 articles are excluded: Articles 34, 49, 50, 64(c), and all of Part E.

If the provisions of contract documents are not consistent, the following priority order will prevail: Invitation, Announcement, applicable IDCR, contractor or subcontractor's technical proposal approved by the Contracting Officer, AMS Auditor's initial report, Appendix 1, Federal Acquisition Regulations, and USDA-1.

V. PRODUCT ITEM DESCRIPTION AND CHECKLIST OF REQUIREMENTS AND CERTIFICATION SERVICES

- A. Specifications for the cooked products will be set forth in the applicable IDCR. If documents are amended, appropriate amendments must be referenced.
- B. Compliance with processing requirements as described in the applicable IDCR, and contractor/subcontractor's process documentation and quality control program will be verified through audits by AMS agents. The cost of all audits, including the pre-award on-site assessment, must be borne by the contractor.
- C. Questions concerning AMS auditors should be discussed with the ARC Branch in Washington, D.C., at (202) 690-0406.

VI. LOSS DUE TO DETERIORATION, SPOILAGE, OR RECALL

A. Loss Due to Deterioration or Spoilage

The Contractor shall be held liable for losses due to deterioration or spoilage for which he or she is responsible, which are discovered within 6 months of the delivery date to USDA, in accordance with the provisions of Article 61 of USDA-1.

B. Liabilities Due to Product Recalled for Health or Safety Risk

In accordance with Article 60 of USDA-1, the contractor shall be held liable for failure of the commodity to meet all of the contract and specifications requirements. In the event product is recalled due to a health or safety risk, the contractor is responsible for removal and replacement of recalled products and reimbursement of State and local costs incurred as a result of the recall, as outlined in the Food and Nutrition Service's Commodity Holds and Recall Process (see below). These costs include, at a minimum, storage, transportation, processing, and distribution of the commodities.

If product under contract is to be delivered to a facility for further processing under contract with a State and the product is recalled, it will be handled in accordance with the Food and Nutrition Service's Commodity Holds and Recall Process. A copy of this report can be obtained at the following web address:

<http://www.fns.usda.gov/fdd/foodsafety/hold-recallpros.pdf>.

VII. CONTRACTOR CERTIFICATE OF CONFORMANCE AND CHECKLOADING

The contractor will not ship the product before receipt of shipping instructions from the Farm Service Agency (FSA) Kansas City Commodity Office (KCCO). Inspection as required by Article 54 of USDA-1 will be performed by AMS agents through supplier pre-award assessment and post-award audits as described in the appropriate IDCR.



Contractor will perform checkloading examinations and complete a COC, at the time of shipment and include with each shipment, a copy of the COC and the contractor's checkloading certificate that includes all of the following information:

1. Contract Number
2. Notice to Deliver Number
3. Name of product
4. Shipping Date
5. Production lot number(s) and date each lot was produced
6. Count of shipping containers and total projected net weight in each production lot. The delivery unit will be 40,000 pounds net weight.
7. Identity of car or truck (car numbers and letters, seals, truck license, etc.) as applicable
8. Contractor certification that product conforms with the applicable IDCR;
9. Count and projected net weight verified.
10. Signature of company official responsible for checkloading.

#### VIII. SHIPMENT--TRANSFER OF TITLE

##### A. Shipping Requirements

Shipment must be made in accordance with this Announcement, the applicable Invitation, Articles 56 and 64(b) of USDA-1, and the Notice to Deliver (Form KC-269) issued by KCCO. The contractor must closely follow delivery notification instructions contained in the Notice to Deliver (N/D). Such notification of shipment is vital to proper execution of shipment, particularly in cases of minimal transit time.

The contractor must notify State distributing agencies and consignees of shipment. For rail shipment, notification must be made on the day of shipment. For truck shipment, notification of the estimated arrival time should be made as far in advance of delivery as possible. In addition, for truck or piggy-back shipment, the contractor must request and keep scheduled appointments. **Unloading appointments for truck or piggy-back deliveries or shipment must be requested from the consignee contact party(s) at least 24 hours in advance of delivery.** The contractor must include with each shipment the contractor's checkloading certificate, the COC, and a signed bill of lading or other commercial documentation evidencing the quantity shipped with each delivery. If product is shipped in other than a commercial carrier and a bill of lading is not issued, the contractor's checkloading certificate must document quantity shipped and contractor must obtain a commercial receipt (i.e., warehouse receipt) signed by recipient agent evidencing date of delivery and quantity of product received.

##### B. Tolerances

No tolerance from the quantity called for in the shipping instruction is permitted.

##### C. Early Delivery Requests

Requests for permission to deliver in advance of the "Not-Earlier-Than" date given in the N/D must be made to KCCO and approval will be granted if consignee is willing to accept product early and provides to KCCO the assurances required by KCCO of that arrangement.

D. Transfer of Title

Title and risk of loss will pass to USDA on the date of receipt of the product at the destination specified in the contract, as evidenced by suitable dated documentation such as the **commercial bill of lading**, warehouse receipt, dock receipt, or other similar signed and dated document evidencing delivery. If the contractor has the product in storage and transfer of title is requested, title will pass to USDA as evidenced by the **commercial bill of lading**. The contractor is responsible for any shortage or damages as evidenced by the **commercial bill of lading**, FNS-57 report, or other commercial receipt evidencing delivery of product.

IX. LIQUIDATED DAMAGES

A. Compensation to Contractor for Late Mailing of Notice-to-Deliver

Liquidated damages for delay in shipment due to late mailing of ND will be payable in accordance with Article 65 of USDA-1 and will be at the rate of 25 cents per hundredweight **net per calendar day**.

B. Compensation to USDA for Delays in Shipment

Timely delivery is important to fulfill the nutritional and dietary needs of persons consuming cooked products under the Child Nutrition and other Federal food and nutrition programs and for the efficient and proper administration of these programs. Liquidated damages for delay in shipment are payable at the rate of 25 cents per hundredweight net per day in accordance with Article 67 of USDA-1. For purposes of assessing liquidated damages for delay in shipment, the date shown on the contractor's checkloading certificate and COC is considered to be the date of shipment.

X. INVOICES AND PAYMENT

A. Shipping Period Contracts

Invoicing and payment will be handled in accordance with Article 70 of USDA-1. A properly prepared invoice consists of the following:

1. Contractor Checkloading

- (1) Invoicing as provided for on the Notice-to-Deliver (Form KC-269) or commercial invoice form;
- (2) Commercial bill of lading or other commercial receipt signed by recipient agent evidencing date of delivery and quantity of product received;
- (3) Original of contractor's checkloading certificate issued at time of shipment; and
- (4) Copy of the contractor's Certificate of Conformance.

If a commercial bill of lading signed by carrier's agent is not issued, the invoice package must include a **warehouse receipt** signed by recipient agent evidencing date of delivery and quantity of product received.

**Any loss in transit will be determined by an Over, Short, or Damage Report (FNS-57) filed by recipient. KCMO will advise contractor of discrepancy and recover loss by setoff from future payments or process a claim.**

Contractors are encouraged to instruct carriers to return bills of lading or other commercial receipts signed by recipient agents evidencing the date and quantity of product received to avoid conflicts. If there is a conflict, the bill of lading signed by the recipient representative will prevail unless the discrepancy is due to damage not discernable at time of delivery.

**B. Invoice Mailing & Interest**

1. The invoice package must be mailed or delivered to Kansas City Management Office (KCMO) at the address listed in Section XI of the Announcement. The outside of the package should be marked:

**"Prompt Pay Provisions Apply--Meat Product  
Attn: Vendor Invoice Payment Section"**

2. Interest will be paid in accordance with the provisions of the Prompt Payment Act, 31 USC 3901 et seq., if payment is made beyond the seventh day after the date of delivery. For payment purposes, the date of delivery will be the receipt date by KCMO of a properly prepared invoice.

**C. Electronic Payment**

USDA payments must be made directly to a financial banking institution. To receive payments electronically, complete the attached Form SF-3881, ACH Vendor Payment Enrollment Form and submit to the Kansas City Management Office, Commodity Financial Operations Division, Inventory Control Branch; Telephone (816) 926-6988 or access the form via the Internet at: <https://pcsd.usda.gov:3076/finance/>.

USDA will no longer issue a paper copy of the disbursement statement. Complete the attached address information form, which identifies payment disbursement statement address as well as other needed information.

**XI. INQUIRIES**

Inquiries pertaining to this Solicitation and applicable documents should be directed to:

Contracting Officer  
Livestock and Seed Program  
Agricultural Marketing Service  
U.S. Department of Agriculture  
Stop 0253, Room 2610-South Building  
1400 Independence Avenue, SW  
Washington, D.C. 20250

Telephone: (202) 720-2650

Inquiries concerning shipping instructions should be directed to:

Director, Kansas City Commodity Office (KCCO)  
Farm Service Agency  
U.S. Department of Agriculture  
P.O. Box 419205  
Kansas City, MO 64141-6205

Telephone: (816) 926-6062

Inquiries concerning payments should be directed to:

Director, Kansas City Management Office (KCMO)  
Farm Service Agency  
U.S. Department of Agriculture  
P.O. Box 419205  
Kansas City, MO 64141-6205

Telephone: (816) 926-6205

William Sessions (6/4/04)  
Associate Deputy Administrator  
Livestock and Seed Program  
Agricultural Marketing Service

Attachments



United States  
Department of  
Agriculture

Agricultural  
Marketing  
Service

Stop 0253-Room 2610-S  
1400 Independence Avenue, SW  
Washington, DC 20250

EXHIBIT A DATED JUNE 2004  
PAGE 1 OF 2

**CHECKLIST AND REFERENCES TO APPLICABLE BID AND CONTRACT PROVISIONS  
ANNOUNCEMENT LS-12, FOR FROZEN, COOKED PRODUCTS**

| PRODUCT DESCRIPTIONS (SECTION 1. A. (GENERAL)) |   |                               |  |   | BID/CONTRACT PROVISIONS          |   |  |                                 |                          |
|--|---|-------------------------------|--|---|----------------------------------|---|--|---------------------------------|--------------------------|
| Product/<br>Commodity Box<br>Code              | Specifications Listed<br>in Priority Order  | Commodity<br>Purchase<br>Code | Packaging and Packing  | Minimum<br>Offer Unit<br>Size/Shippin<br>g Unit | Tolerance<br>Section<br>VIII. B. | Shipping/Delivery<br>Period Section<br>II.C.; IV and VIII | Federal/State Plants<br>Section I.D.3. | Competition<br>(See Invitation) | Payment<br>Section X     |
| Pork Sloppy Joe<br>Mix, Fully<br>Cooked/A691   | Item Description and<br>Checklist of<br>Requirements<br>(IDCR) for Cooked<br>Pork Items dated<br>May 2004 | 26-34-41                      | 10 pound, 5 pound, or 8<br>pound packages packed 40<br>lbs. Net weight (18.1 kg)<br>per shipping container | 40,000 lbs.<br>1000 cases                       | NONE                             | First Half/Last<br>Half of month<br>shipping period       | Federal Plants Only                    | Full & Open                     | Upon<br>Shipment<br>X.B. |
| Pork Taco<br>Filling, Fully<br>Cooked/A680     |   | 26-36-41                      | 10 pound, 5 pound, or 8<br>pound packages packed 40<br>lbs. Net weight (18.1 kg)<br>per shipping container | 40,000 lbs.<br>1000 cases                       | NONE                             | First Half/Last<br>Half of month<br>shipping period       | Federal Plants Only                    | Full & Open                     | Upon<br>Shipment<br>X.B. |
| Breaded Pork<br>Patties, Fully<br>Cooked/A692  |   | 26-35-41                      | 10 pound, 5 pound, or 8<br>pound packages packed 40<br>lbs. Net weight (18.1 kg)<br>per shipping container | 40,000 lbs.<br>1000 cases                       | NONE                             | First Half/Last<br>Half of month<br>shipping period       | Federal Plants Only                    | Full & Open                     | Upon<br>Shipment<br>X.B. |
| Pork Sausage<br>Patty 1.5 ounce<br>Cooked/A663 | IDCR – Issued<br>separately   | 26-45-40                      |  |   | NONE                             | First Half/Last<br>Half of month<br>shipping period       | Federal Plants Only                    | Full & Open                     | Upon<br>Shipment<br>X.B. |
| Pork Sausage<br>Patty 3.0 ounce<br>Cooked/A662 |   | 26-41-40                      |  |   | NONE                             | First Half/Last<br>Half of month<br>shipping period       | Federal Plants Only                    | Full & Open                     | Upon<br>Shipment<br>X.B. |
| Breaded Beef<br>Patties, Fully<br>Cooked/A696  | IDCR for Cooked<br>Beef Items – dated<br>April 2004   | 25-35-41                      | 10 pound, 5 pound, or 8<br>pound packages packed 40<br>lbs. Net weight (18.1 kg)<br>per shipping container | 40,000 lbs.<br>1000 cases                       | NONE                             | First Half/Last<br>Half of month<br>shipping period       | Federal Plants Only                    | Full & Open                     | Upon<br>Shipment<br>X.B. |
| Beef Sloppy Joe<br>Mix, Fully<br>Cooked/A697   |   | 25-34-41                      | 10 pound, 5 pound, or 8<br>pound packages packed 40<br>lbs. Net weight (18.1 kg)<br>per shipping container | 40,000 lbs<br>1000 cases                        | NONE                             | First Half/Last<br>Half of month<br>shipping period       | Federal Plants Only                    | Full & Open                     | Upon<br>Shipment<br>X.B. |
| Beef Taco<br>Filling, Fully<br>Cooked/A695     |   | 25-36-41                      | 10 pound, 5 pound, or 8<br>pound packages packed 40<br>lbs. Net weight (18.1 kg)<br>per shipping container | 40,000 lbs.<br>1000 cases                       | NONE                             | First Half/Last<br>Half of month<br>shipping period       | Federal Plants Only                    | Full & Open                     | Upon<br>Shipment<br>X.B. |



United States  
Department of  
Agriculture

Agricultural  
Marketing  
Service

Stop 0253-Room 2610-S  
1400 Independence Avenue, SW  
Washington, DC 20250

EXHIBIT A DATED JUNE 2004  
PAGE 2 OF 2

**CHECKLIST AND REFERENCES TO APPLICABLE BID AND CONTRACT PROVISIONS  
ANNOUNCEMENT LS-12, FOR FROZEN, COOKED PRODUCTS**

| PRODUCT DESCRIPTIONS (SECTION 1. A. (GENERAL))   |   |                               |  |   | BID/CONTRACT PROVISIONS          |   |  |                                 |                          |
|--|---|-------------------------------|--|---|----------------------------------|---|--|---------------------------------|--------------------------|
| Product/<br>Commodity Box<br>Code  | Specifications Listed<br>in Priority Order          | Commodity<br>Purchase<br>Code | Packaging and Packing  | Minimum<br>Offer Unit<br>Size/Shippin<br>g Unit | Tolerance<br>Section<br>VIII. B. | Shipping/Delivery<br>Period Section<br>II.C.; IV and VIII | Federal/State Plants<br>Section I.D.3. | Competition<br>(See Invitation) | Payment<br>Section X     |
| Beef Patties with<br>Vegetable<br>Protein Product<br>(VPP)<br>Homestyle,<br>Fully<br>Cooked/A628 | IDCR for Cooked<br>Beef Items – dated<br>April 2004 | 25-21-40                      | 10 pound, 5 pound, or 8<br>pound packages packed 40<br>lbs. Net weight (18.1 kg)<br>per shipping container | 40,000 lbs.<br>1000 cases                       | NONE                             | First Half/Last<br>Half of month<br>shipping period       | Federal Plants Only                    | Full & Open                     | Upon<br>Shipment<br>X.B. |
| Beef Crumbles,<br>Fully Cooked/<br>A698  |   | 25-40-10                      | 10 pound, 5 pound, or 8<br>pound packages packed 40<br>lbs. Net weight (18.1 kg)<br>per shipping container | 40,000 lbs.<br>1000 cases                       | NONE                             | First Half/Last<br>Half of month<br>shipping period       | Federal Plants Only                    | Full & Open                     | Upon<br>Shipment<br>X.B. |

## SAMPLE INVITATION

## DATE ISSUED:

FROZEN, COOKED PRODUCTS, ANNOUNCEMENT LS-12, INVITATION NO. \_:

The U.S. Department of Agriculture (USDA) invites offers pursuant to ANNOUNCEMENT LS-12 to sell frozen, cooked products for use in Federal food and nutrition programs. Purchases will be made on a shipping period basis to destinations indicated below. The product must be shipped to the destinations within the shipping period. Destination quantities are estimates and are subject to adjustment based on offerings, changes in recipient needs, market conditions, and program operations.

All offers must be in the format prescribed in LS-12 and be submitted electronically via the Internet. Offers must be received by **1:00 p.m.**, Central Time, Friday, \_\_\_\_, 2004. Acceptances will be announced by midnight, Friday, \_\_\_\_, 2004. Shipments are to be made between \_\_\_\_ and \_\_\_\_, 2004.

Product purchased under this Invitation will be produced according to the applicable Item Description and Checklist of Requirements.

Offeror must be assigned a Logon ID by USDA to access the site. The internet address is: <https://pcsd.usda.gov:3077/mdbc1000.exe>? Once connected, follow the online procedures. A "HELP" button provides detailed instructions or call 202-720-2650 for assistance.

Inquiries about ANNOUNCEMENT LS-12 or this Invitation should be directed to the Contracting Officer, Livestock and Seed Program; USDA, AMS, Stop 0253-Room 2610-South; 1400 Independence Avenue, SW; Washington, D.C. 20250-0253 Telephone: (202) 720-2650.

ANNOUNCEMENT : LS-12  
INVITATION : 100

COMM GROUP : 26 PORK, FROZEN  
COMM TYPE : 36 PORK, COOKED TACO FILLING  
PACK SIZE : 4/10 LB PACKAGES

| ITEM<br>NO.                         | DESTINATION<br>CITY | STATE | TRANS<br>RESTR | QUANTITY<br>(LBS) |
|-------------------------------------|---------------------|-------|----------------|-------------------|
| SHIPPING PERIOD 09/01/04 - 09/15/04 |                     |       |                |                   |
| 001                                 | VANDIVER            | AL    | TRUCK ONLY     | 80,000            |
| 002                                 | DURAND              | GA    |                | 40,000            |
| 003                                 | PALMDALE            | FL    |                | 40,000            |
| 004                                 | BELLEVUE            | OH    |                | 120,000           |
| 005                                 | KALKASKA            | MI    |                | 160,000           |
| 006                                 | ROSCOE              | TX    |                | 36,000            |
| 007                                 | TOLLVILLE           | AR    |                | 40,000            |
| TOTAL QUANTITY FOR COMMODITY TYPE   |                     |       |                | 516,000           |
| TOTAL QUANTITY FOR INVITATION       |                     |       |                | 516,000           |

\_\_\_\_\_  
CONTRACTING OFFICER

**UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
LIVESTOCK AND SEED PROGRAM**

**CERTIFICATE OF CONFORMANCE FOR  
THE PROCUREMENT OF  
FROZEN COOKED PRODUCTS**

**CERTIFICATE OF CONFORMANCE**

I certify the following:

- (1) On [shipping date], [Contractor's name] furnished the [applicable cooked product item] called for by Contract Number [ ] for product shipped under Notice-to-Deliver Number [ ] in accordance with all applicable requirements.
- (2) The [applicable cooked product item] is of the quality specified and conforms in all respects with domestic product requirements and other the contract requirements, including the Item Description, Checklist of Requirements, and Technical Proposal approved by the Contracting Officer.
- (3) Product quantity shipped is as required on the Notice to Deliver.


Date: \_\_\_\_\_

Signature:

(Signed by an officer or representative authorized to sign offers on the current SF-129)

Title:



|  |   |                                     |  |   |   |  |                              |  |                      |
|--|---|-------------------------------------|--|---|---|--|------------------------------|--|----------------------|
| <b>SOLICITATION MAILING LIST APPLICATION</b>   |   |                                     |  | 1. TYPE OF APPLICATION<br><input checked="" type="checkbox"/> INITIAL <input type="checkbox"/> REVISION |   | 2. DATE<br>5/26/02   |                              | OMB No.: 9000-0002<br>Expires: 10/31/97                                      |                      |
| <b>NOTE: Please complete all items on this form. Insert N/A in items not applicable. See reverse for instruction.</b><br>Public reporting burden for this collection of information is estimated to average .58 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (MVR), Federal Acquisition Policy Division, GSA, Washington, DC 20406. |   |                                     |  |   |   |  |                              |  |                      |
| 3. SUBMIT TO   | a. FEDERAL AGENCY'S NAME<br>USDA, AMS, Livestock and Seed Program |                                     |  |   | a. NAME<br>Lakeshore Meat FI No. 7999 TIN No 9734565837   |  |                              |  |                      |
|  | b. STREET ADDRESS<br>Room 2610-South, P.O. Box 96456              |                                     |  |   | b. STREET ADDRESS<br>1275 Corwith Avenue  |  |                              | c. COUNTY<br>EI 197643   |                      |
|  | c. CITY<br>Washington   |                                     | d. STATE<br>DC   | e. ZIP CODE<br>20090-6456   |   | d. CITY<br>Calumet   |                              | e. STATE<br>IL   | f. ZIP CODE<br>67345 |
|  |   |                                     |  |   |   |  |                              |  |                      |
| 6. TYPE OF ORGANIZATION (Check one)<br><input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> NON-PROFIT ORGANIZATION<br><input type="checkbox"/> PARTNERSHIP <input checked="" type="checkbox"/> CORPORATION, INCORPORATED UNDER THE LAWS OF THE STATE OF: Illinois   |   |                                     |  |   | 7. ADDRESS TO WHICH SOLICITATIONS ARE TO BE MAILED (If different than item 4)<br>a. STREET ADDRESS<br>Same as #4<br>b. COUNTY<br><br>c. CITY<br><br>d. STATE<br><br>e. ZIP CODE<br> |  |                              |  |                      |
| <b>7. NAMES OF OFFICERS, OWNERS, OR PARTNERS</b>   |   |                                     |  |   |   |  |                              |  |                      |
| a. PRESIDENT<br>George Coates  |   |                                     | b. VICE PRESIDENT<br>Martha Jersild  |   |   | c. SECRETARY<br>Robert Olson   |                              |  |                      |
| d. TREASURER<br>Walter Schnaak   |   |                                     | e. OWNERS OR PARTNERS<br>Shareholders of the Corporation   |   |   |  |                              |  |                      |
| <b>8. AFFILIATES OF APPLICANT</b>  |   |                                     |  |   |   |  |                              |  |                      |
| NAME<br>Broadview Foods, TIN No. XXXXXXXXXX<br>FI No. 321  |   |                                     | LOCATION<br>7893 Dolton Ave., Highland, IL 67347   |   |   | NATURE OF AFFILIATION<br>Parent Company                                |                              |  |                      |
| <b>9. PERSONS AUTHORIZED TO SIGN OFFERS AND CONTRACTS IN YOUR NAME (Indicate if agent)</b>   |   |                                     |  |   |   |  |                              |  |                      |
| NAME   |   |                                     | OFFICIAL CAPACITY  |   |   | TELEPHONE NUMBER   |                              |  |                      |
|  |   |                                     |  |   |   | AREA CODE  |                              | NUMBER   |                      |
| Edgar Kauffman   |   |                                     | Sales Manager  |   |   | 611  |                              | 796-1992   |                      |
| Andrew Terrill   |   |                                     | Production Manager   |   |   | 611  |                              | 796-1992   |                      |
| 10. IDENTIFY EQUIPMENT, SUPPLIES, AND/OR SERVICES ON WHICH YOU DESIRE TO MAKE AN OFFER (See attached Federal Agency's supplemental listing and instruction, if any)  |   |                                     |  |   |   |  |                              |  |                      |
| Commodity  |   | Current Weekly Prod.                |  | Additional Capacity   |   | % available for USDA Contracts   |                              |  |                      |
| Ckd Pork Taco Mix  |   | 500,000                             |  | 250,000   |   | 40%  |                              |  |                      |
| Ckd Pork Sloppy Joe Mix  |   | 500,000                             |  | 250,000   |   | 40%  |                              |  |                      |
| 11a. SIZE OF BUSINESS (See definitions on reverse)   |   |                                     | 11b. AVERAGE NUMBER OF EMPLOYEES (Including affiliates) FOR FOUR PRECEDING CALENDAR QUARTERS   |   |   | 11c. AVERAGE ANNUAL SALES OR RECEIPTS FOR PRECEDING THREE FISCAL YEARS |                              |  |                      |
| <input checked="" type="checkbox"/> SMALL BUSINESS (If checked, complete items 11B and 11C) <input type="checkbox"/> OTHER THAN SMALL BUSINESS   |   |                                     | 125  |   |   | \$ 29,456,000.00   |                              |  |                      |
| 12. TYPE OF OWNERSHIP (See definitions on reverse) (Not applicable for other than small businesses)  |   |                                     | 13. TYPE OF BUSINESS (See definitions on reverse)  |   |   |  |                              |  |                      |
| <input type="checkbox"/> DISADVANTAGED BUSINESS <input type="checkbox"/> WOMAN-OWNED BUSINESS  |   |                                     | <input checked="" type="checkbox"/> MANUFACTURER OR PRODUCER <input type="checkbox"/> CONSTRUCTION OR PRODUCER <input type="checkbox"/> SURPLUS DEALER<br><input type="checkbox"/> SERVICE ESTABLISHMENT <input type="checkbox"/> RESEARCH AND DEVELOPMENT |   |   |  |                              |  |                      |
| 14. DUNS NO. (If available)<br>02-787396   |   |                                     | 15. HOW LONG IN PRESENT BUSINESS?<br>68 years  |   |   |  |                              |  |                      |
| 16. FLOORSPACE (Square Feet/M <sup>2</sup> )   |   |                                     |  |   | 17. NET WORTH   |  |                              |  |                      |
| a. MANUFACTURING<br>44,000   |   | b. WAREHOUSE<br>150,000 * See Below |  |   | a. DATE<br>December 31, 2001  |  | b. AMOUNT<br>\$ 7,537,662.89 |  |                      |
| <b>18. SECURITY CLEARANCE (If applicable, check highest clearance authorized)</b>  |   |                                     |  |   |   |  |                              |  |                      |
| FOR  |   | TOP SECRET                          | SECRET   | CONFIDENTIAL  | c. NAMES OF AGENCIES GRANTING SECURITY CLEARANCES   |  |                              | d. DATES GRANTED   |                      |
| a. KEY PERSONNEL   |   |                                     |  |   |   |  |                              |  |                      |
| b. PLANT ONLY  |   |                                     |  |   |   |  |                              |  |                      |
| The information supplied herein (including all pages attached) is correct and neither the applicant nor any person (or concern) in any connection with the applicant as a principal or officer, so far as is known, is now debarred or otherwise declared ineligible by any agency of the Federal Government from making offers for furnishing materials, supplies, or services to the Government or any agency thereof.   |   |                                     |  |   |   |  |                              |  |                      |
| 19a. NAME OF PERSON AUTHORIZED TO SIGN (Type or print)<br>George Coates  |   |                                     |  |   | 20. SIGNATURE<br>   |  |                              | 21. DATE SIGNED<br>05/26/02  |                      |
| 19b. TITLE OF PERSON AUTHORIZED TO SIGN (Type or print)<br>President   |   |                                     |  |   |   |  |                              |  |                      |
| AUTHORIZED FOR LOCAL REPRODUCTION<br>Previous edition not usable   |   |                                     |  |   | * Robertson Bonded Warehouse<br>834 Bellwood Avenue<br>Irondale, IL 59571   |  |                              | STANDARD FORM 129 (REV. 12-96)<br>Prescribed by GSA - FAR (48 CFR) 53.214(e) |                      |

## INSTRUCTIONS

Persons or concerns wishing to be added to a particular agency's bidder's mailing list for supplies or services shall file this properly completed Solicitation Mailing List Application, together with such other lists as may be attached to this application form, with each procurement office of the Federal agency with which they desire to do business. If a Federal agency has attached a Supplemental Commodity list with instructions, complete the application as instructed. Otherwise, identify in Item 10 the equipment, supplies, and/or services on which you desire to bid. (Provide Federal Supply Class or Standard Industrial Classification codes, if available.) The application shall be submitted and signed by the principal as distinguished from an agent, however constituted.

After placement on the bidder's mailing list of an agency, your failure to respond (submission of bid, or notice in writing, that you are unable to bid on that particular transaction but wish to remain on the active bidder's mailing list for that particular item) to solicitations will be understood by the agency to indicate lack of interest and concurrence in the removal of your name from the purchasing activity's solicitation mailing for items concerned.

#### SIZE OF BUSINESS DEFINITIONS (See Item 11A.)

a. Small business concern - A small business concern for the purpose of Government procurement is a concern, including its affiliates, which is independently owned and operated, is not dominant in the field of operation in which it is competing for Government contracts, and can further qualify under the criteria concerning number of employees, average annual receipts, or the other criteria, as prescribed by the Small Business Administration. (See Code of Federal Regulations, Title 13, Part 121, as amended, which contains detailed industry definitions and related procedures.)

b. Affiliates - Business concerns are affiliates of each other when either directly or indirectly (i) one concern controls or has the power to control the other, or (ii) a third party controls or has the power to control both. In determining whether concerns are independently owned and operated and whether or not affiliation exists, consideration is given to all appropriate factors including common ownership, common management, and contractual relationship. (See Items 8 and 11A.)

c. Number of employees - (Item 11B) In connection with the determination of small business status, "number of employees" means the average employment of any concern, including the employees of its domestic and foreign affiliates, based on the number of persons employed on a full-time, part-time, temporary or other basis during each of the pay periods of the preceding 12 months. If a concern has not been in existence for 12 months, "number of employees" means the average employment of such concern and its affiliates during the period that such concern has been in existence based on the number of persons employed during each of the pay periods of the period that such concern has been in business.

#### TYPE OF OWNERSHIP DEFINITIONS (See Item 12.)

a. "Disadvantaged business concern" - means any business concern (1) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and (2) whose management and daily business operations are controlled by one or more of such individuals.

b. "Women-owned business" - means a business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.

#### TYPE OF BUSINESS DEFINITIONS (See Item 13.)

a. "Manufacturer or producer" - means a person (or concern) owning, operating, or maintaining a store, warehouse, or other establishment that produces, on the premises, the materials, supplies, articles or equipment of the general character of those listed in Item 10, or in the Federal Agency's Supplemental Commodity List, if attached.

b. "Service establishment" - means a concern (or person) which owns, operates, or maintains any type of business which is principally engaged in the furnishing of nonpersonal services, such as (but not limited to) repairing, cleaning, redecorating, or rental of personal property, including the furnishing of necessary repair parts or other supplies as a part of the services performed.

- **COMMERCE BUSINESS DAILY** - The Commerce Business Daily, published by the Department of Commerce, contains information concerning proposed procurements, sales, and contract awards. For further information concerning this publication, contact your local Commerce Field Office.

## SAMPLE OFFER ELECTRONICALLY SUBMITTED

Submitted at: 8/13/2004 - 10:19:19 am Central Time

JOHN JONES PACKING CO.  
22 MAIN STREET  
BERWYN, ME 55507

## LS-12/100, FROZEN, COOKED PORK

| Authorized Changes and Comments                                  |                   |              |                         |          |           |           |
|--|-------------------|--------------|-------------------------|----------|-----------|-----------|
| Date   |                   | Time         | USDA ID                 | Comments |           |           |
| Plant 01-John Jones Packing Co., 22 Main Street, Berwyn, ME      |                   |              |                         |          |           |           |
| Shipping Point 01-Jones Meat Packing, 22 Main Street, Berwyn, ME |                   |              |                         |          |           |           |
| PORK, COOKED TACO FILLING  |                   |              |                         |          |           |           |
| Line Item  | Pack Size         | Destination  | Delivery Period         | Est LBS  | Price/LBS | Tran Mode |
| 001  | 4/10 lb. packages | VANDIVER, AL | 09/01/2004 - 09/15/2004 | 80,000   | 1.3000    | Truck     |
| 002  | 4/10 lb. packages | DURAND, GA   | 09/01/2004 - 09/15/2004 | 40,000   | 1.2500    | Truck     |
| 003  | 4/10 lb. packages | PALMDALE, FL | 09/01/2004 - 09/15/2004 | 40,000   | 1.2500    | Truck     |

| Constraints  |         |                       |   |                           |
|--|---------|-----------------------|---|---------------------------|
| Const #  | Max Qty | Plant Location        | Shipping Period   | Product                   |
| 1  | 3       | 01-John Jones Packing | 09/01/2004 - 09/15/2004   | Pork, Cooked Taco Filling |
| Certifications   |         |                       |   |                           |
| For this bid your company is designated as: SMALL BUSINESS   |         |                       |   |                           |
| Question   |         |                       | Answer  |                           |
| <b>01)</b> By submitting this bid, Offeror certifies it HAS read and DOES agree to the terms of LS-12, Appendix 1, Inv. 100, Exhibit A dated May 2004, applicable Item Description and Checklist of Requirements, Contractor's technical proposal approved by the Contracting Officer; AMS Auditor's initial report; USDA 1, Rev. 2, and Amnds 1, 2, 3, and 4 (Both boxes must be selected ) |         |                       | HAS<br>DOES   |                           |
| <b>02A)</b> Annual Representations, Certifications and Warranties (Appendix 1) submitted to the Contracting Officer are current, accurate, and complete. Submitted to Contracting Officer (mm/dd/yyyy)   |         |                       | 7/30/2004   |                           |
| <b>02B)</b> If Appendix HAS been amended, enter date amended or N/A.   |         |                       | N/A   |                           |
| <b>03)</b> Offeror certifies that the SF-129 on file with the Contracting Officer is accurate and part of this offer.  |         |                       | DOES  |                           |
| <b>04)</b> All product required under existing USDA contract(s) or subcontract(s) with a Not Later Than Date prior to this bid opening HAS been delivered.   |         |                       | NO EXISTING CONTRACTS   |                           |
| <b>05)</b> By submitting this bid, offeror certifies that all product DOES conforms with the applicable Item Description and Checklist of Requirements and no changes to the production process or technical proposal have occurred without proper approval by the Contracting Officer.  |         |                       | DOES  |                           |
| <b>06)</b> Show name, title, fax number, and phone number of person submitting bid (must be an authorized company representative).   |         |                       | Edgar Kaufmann, President<br>Fax 705-347-8333<br>Phone 705-347-1715 |                           |

High Bid Price: 0.6534 Line Item: 001  
Low Bid Price: 0.5987 Line Item: 003  
Sum of Bid Prices: 1.8913

## SAMPLE OFFER WIRE OR LETTER

The following example shows how offer wires or letters may be submitted giving all essential details in the briefest possible manner. Basic to this procedure is a number identification with each line item of information required in the offer (See format in Section II E of Announcement LS-12)

**NOTE: FAX bids must be authorized by the Contracting Officer prior to submission in the event of a USDA system failure or company's ISP is unavailable.**

Address to: Contracting Officer, Livestock and Seed Program  
 USDA, AMS, Room 2610-South  
 Agricultural Marketing Service  
 Post Office Box 96456  
 Washington, D.C. 20250  
 Telephone: 202-720-2650

**Section 1--General**

- |  |   |
|--|---|
| 1. John Jones Packing Company<br>22 Main Street<br>(P.O. Box 123)<br>Encinitas, CA 92379                   | 705-555-1715  |
| 2. LS-12/100   |   |
| 3. <b>Plant</b><br>Jone's Meat Company<br>224 Main Street<br>Berwyn, Maine 55507<br>Telephone 705-342-1715 | <b>Shipping Point</b><br>Jones Meat Packers<br>224 Main Street<br>Berwyn, Maine 55501 |

**Section 2--Offer Form**

- |  |                                    |                      |                                  |                      |                                    |                      |                         |
|--|------------------------------------|----------------------|----------------------------------|----------------------|------------------------------------|----------------------|-------------------------|
| 1. <table border="0" style="margin-left: 20px;"> <tr> <td>(1) Vandiver, AL, \$1.2500 per lb.</td> <td>(1) \$1.2500 per lb.</td> </tr> <tr> <td>(2) Durand, GA, \$1.3000 per lb.</td> <td>(2) \$1.3000 per lb.</td> </tr> <tr> <td>(3) Palmdale, FL, \$1.3000 per lb.</td> <td>(3) \$1.3000 per lb.</td> </tr> </table> | (1) Vandiver, AL, \$1.2500 per lb. | (1) \$1.2500 per lb. | (2) Durand, GA, \$1.3000 per lb. | (2) \$1.3000 per lb. | (3) Palmdale, FL, \$1.3000 per lb. | (3) \$1.3000 per lb. | <b>ALTERNATE FORMAT</b> |
| (1) Vandiver, AL, \$1.2500 per lb.   | (1) \$1.2500 per lb.               |                      |                                  |                      |                                    |                      |                         |
| (2) Durand, GA, \$1.3000 per lb.   | (2) \$1.3000 per lb.               |                      |                                  |                      |                                    |                      |                         |
| (3) Palmdale, FL, \$1.3000 per lb.   | (3) \$1.3000 per lb.               |                      |                                  |                      |                                    |                      |                         |

**Section 3--Constraints**

- |   |                 |
|---|-----------------|
| 1. Maximum to be awarded  | Shipping Period |
| 3 offer units, 120,000 pounds (10/4 lb.packages) for shipping between _____ and _____ |                 |

**Section 4--Certifications**

Small Business

1. HAS  
DOES
2. (a) 05/30/04 (date Appendix 1 was signed by Offeror )  
(b) N/A
3. DOES
4. NO EXISTING CONTRACTS
5. DOES
6. Edgar Kauffman, Sales Mgr, FAX 705-347-8333, TEL. 705-347-1715  
(SIGNATURE REQUIRED)

**PLANNED PURCHASE SCHEDULE  
2004-05**

| <b>INV. NO.</b> | <b>COMMODITY<br/>TYPE</b>               | <b>BID<br/>OPENING</b> | <b>AWARD<br/>DATE<br/>(NLT)</b> | <b>PRODUCTION</b> | <b>SHIPPING<br/>PERIOD</b> |
|-----------------|---|------------------------|---------------------------------|-------------------|----------------------------|
| 001             | Cooked Items-Specified<br>in Invitation | 06/25                  | 07/02                           | 5 WEEKS           | 08/01-15                   |
| 002             | Cooked Items-Specified<br>in Invitation | 07/09                  | 07/16                           | 5 WEEKS           | 08/16-31                   |
| 003             | Cooked Items-Specified<br>in Invitation | 07/23                  | 07/30                           | 5 WEEKS           | 09/01-15                   |
| 004             | Cooked Items-Specified<br>in Invitation | 08/06                  | 08/13                           | 5 WEEKS           | 09/16-30                   |
| 005             | Cooked Items-Specified<br>in Invitation | 08/20                  | 08/27                           | 5 WEEKS           | 10/01-15                   |
| 006             | Cooked Items-Specified<br>in Invitation | 09/03                  | 09/10                           | 5 WEEKS           | 10/16-31                   |
| 007             | Cooked Items-Specified<br>in Invitation | 09/17                  | 09/24                           | 5 WEEKS           | 11/01-15                   |
| 008             | Cooked Items-Specified<br>in Invitation | 10/01                  | 10/08                           | 5 WEEKS           | 11/16-31                   |
| 009             | Cooked Items-Specified<br>in Invitation | 10/15                  | 10/22                           | 6 WEEKS           | 12/1-15                    |
| 010             | Cooked Items-Specified<br>in Invitation | 10/29                  | 11/05                           | 6 WEEKS           | 12/16-31                   |
| 011             | Cooked Items-Specified<br>in Invitation | 11/12                  | 11/19                           | 6 WEEKS           | 01/01-15/05                |
| 012             | Cooked Items-Specified<br>in Invitation | 12/03                  | 12/10                           | 6 WEEKS           | 01/16-31/05                |
| 013             | Cooked Items-Specified<br>in Invitation | 12/17                  | 12/23<br>(Thursday)             | 6 WEEKS           | 02/01-15                   |
| 014             | Cooked Items-Specified<br>in Invitation | 01/07/05               | 01/14/05                        | 5 WEEKS           | 02/16-28                   |
| 015             | Cooked Items-Specified<br>in Invitation | 01/21                  | 01/28                           | 5 WEEKS           | 03/01-15                   |
| 016             | Cooked Items-Specified<br>in Invitation | 02/04                  | 02/11                           | 5 WEEKS           | 03/16-31                   |

Company Name

Page X of Y

(Frozen, Cooked Products)

[Company Name]

[Company Address]

Technical Proposal for: [Announcement Number] and [Specification]

**Table of Contents** (all pages and attachments must be number and identified—any attachments must be identified and referenced in the Technical Proposal)

*The technical proposal should include all phases of production that meets or exceeds the requirements stated in the specification to produce complying product.*

- I. **ITEM DESCRIPTION** - Please provide a brief description of the product that will be addressed in the technical proposal.
- II. **CHECKLIST OF REQUIREMENTS** - Please provide a brief description of the planning, production steps (do), check and corrective/preventive (act) measures that the company will do to assure compliance with the checklist of requirements section of the specification.
  - A. **MATERIALS** - Please provide a brief description of the planning, production steps (do), check and corrective/preventive (act) measures that the company will do to assure compliance with the material section of the specification.

Contractors are responsible for providing sufficient product traceability and must have records to verify the source of raw materials used in each lot of product.

1. BEEF OR PORK – (plan, do, check, act)
  - a. **Excellent Condition**
  - b. **Domestic Origin**
  - c. **Non-ambulatory beef or pork**
  - d. **Mechanically separated**
2. NON-MEAT INGREDIENTS – (plan, do, check, act)
3. SHAPE (PATTIES) – (plan, do, check, act)
4. SERVING SIZE (plan, do, check, act)
5. PRODUCT COOKING (plan, do, check, act)
6. PRODUCT TEMPERATURE (plan, do, check, act)
7. COOKING INSTRUCTIONS (plan, do, check, act)
8. FINISHED PRODUCT FAT AND SODIUM LIMITATIONS (plan, do, check, act)
9. METAL DETECTION (plan, do, check, act)
10. MICROBIAL REQUIREMENTS (plan, do, check, act)

**B. PREPARATION FOR DELIVERY - Please provide a brief description of the planning, production steps (do), check and corrective/preventive (act) measures that the company will do to assure compliance with the preparation for delivery section of the specification.**

**1. PACKAGING AND PACKING– (plan, do, check, act)**

**2. LABELING – (plan, do, check, act)**

**3. PALLETIZED UNIT LOADS – (plan, do, check, act)**

**4. TRACEABILITY AND SHIPMENT – (plan, do, check, act)**

**C. WARRANTY AND COMPLAINT RESOLUTION - Please provide a brief description of the planning, production steps (do), check and corrective/preventive (act) measures that the company will do to assure compliance with the warranty and complaint resolution section of the specification.**

NOTE: In preparing Offeror's technical proposal please follow the outline format for the applicable IDCR that the company is submitting.

#### **Attachments or Appendixes**

**Please attach all referenced documents with the applicable document name and reference number.**



United States  
Department of  
Agriculture

Agricultural  
Marketing  
Service

Stop 0253 Room 2610 South  
1400 Independence Avenue SW  
Washington, DC 20250-0253

**AGRICULTURAL MARKETING SERVICE  
FOOD PURCHASE INFORMATION ON THE INTERNET**

Suppliers and Recipients of Food Products purchased by the Department of Agriculture's Agricultural Marketing Service (AMS), an agency in the Marketing and Regulatory mission area, can access information on purchases and offers via the Internet.

FOR QUICK ACCESS TYPE THE ADDRESS DESIRED IN THE LOCATION BOX:

USDA HOME PAGE:

<http://www.usda.gov/>

AMS HOME PAGE:

<http://www.ams.usda.gov/>

AMS COMMODITY PROCUREMENT HOME PAGE:

<http://www.ams.usda.gov/cp>

AMS, LS COMMODITY PROCUREMENT HOME PAGE

<http://www.ams.usda.gov/lscp>



# ITEM DESCRIPTION AND CHECKLIST OF REQUIREMENTS FOR COOKED PORK ITEMS MAY 2004

# APPROVED

STDZ, RM 2607 5/13/04

## I. ITEM DESCRIPTION

|                              |  |
|------------------------------|--|
| Item –                       | <p>(1) <u>Pork Taco Filling, Fully Cooked</u> – This item consists of ground pork cooked in lightly seasoned ingredients for use in a variety of applications, including taco fillings, burritos, enchiladas and similar items.</p> <p>(2) <u>Pork Sloppy Joe Mix, Fully Cooked</u> – This item consists of ground pork cooked in seasoned tomato product for use in a variety of applications, including sandwich filling and similar items.</p> <p>(3) <u>Breaded Pork Patties, Fully Cooked</u> – This item consists of ground pork that is formed into round or oval patties, breaded and IQF for use as sandwiches or a stand-alone item.</p> |
| Meat Component –             | Pork will comprise at least 75% of the raw formula.  |
| Non-Meat Component –         | Non-meat components will comprise no more than 25% of the raw formula.   |
| Fat –                        | Fat will not exceed 15 grams per 100 gram serving.   |
| Sodium –                     | The sodium content will not exceed 700 milligrams per 100 gram serving.  |
| Packing –                    | Four (4) 10-pound, five (5) 8-pound, or eight (8) 5-pound primary containers (packages) will be packed in a 40-pound (net weight) shipping container.  |
| Delivery Unit –              | Each delivery unit will consist of 1000 cases and 40,000 pounds.   |
| Child Nutrition (CN) Label – | A CN label is required on all primary containers.  |

## II. CHECKLIST OF REQUIREMENTS

All items must be produced in accordance with Food Safety and Inspection Service (FSIS) regulations and the checklist of requirements.

### A. MATERIALS

The contractor's technical proposal must include procedures to address conformance with the following material requirements.

**1. MEAT COMPONENT**

Pork will be the only meat component allowed.

- a) Domestic Origin of Meat Component – All hogs will originate from U.S. produced livestock.
- b) Harvesting (Slaughtering) – Hogs will be harvested in facilities that will comply with the following requirements:
  - (1) Humane Handling – All hogs will be humanely handled in accordance with all applicable FSIS regulations, directives, and notices.
  - (2) Non-Ambulatory Disabled Hogs – Meat from carcasses of non-ambulatory disabled livestock will not be included in USDA purchased cooked pork items.

The domestic origin and harvesting requirements will be verified in accordance with ARC 1010 Procedure, USDA Supplier Eligibility Programs (<http://www.ams.usda.gov/lsg/arc/dovp.htm>).

- c) Fabrication – Boneless meat will comply with the following requirements:
  - (1) Handling – All boneless pork must be maintained in excellent condition. The contractor's technical proposal shall include detailed production scheduling that addresses time and temperature controls necessary to maintain excellent condition of the boneless pork. Frozen boneless pork may be used provided it is processed into the final product within 60 days from the date of pack.
  - (2) Objectionable Materials – Meat shall be free of skin, lymph glands, organ tissue, spinal cord, and foreign materials.
  - (3) Mechanical Separation – Meat that is mechanically separated from bone with automatic deboning systems, advanced lean (meat) recovery (AMR) systems, or powered knives will not be allowed.

**2. NON-MEAT COMPONENTS**

- a) Domestic Origin of Non-Meat Component – Significant ingredients (more than 1 percent) will be derived from U.S. produced products.
- b) Seasoning and Ingredient – Seasonings and other ingredients will be used to produce products with mild flavor profiles suitable for institutional feeding systems.
- c) Monosodium Glutamate (MSG) – MSG is not allowed.
- d) Batter/Breading – For Patties, only – Enriched flour must be the primary ingredient, by weight, in the batter/breading combination.

**B. PROCESSING****1. BONE COLLECTOR / EXTRUDER SYSTEM**

A bone collector/extruder system must be in operation to remove skin, bone, cartilage, and heavy connective tissue during the final grind.

**2. PATTIES**

- a) Round or Oval Shape – Patties will be round or oval shape.
- b) Raw Weight – The raw weight of the patties must be declared. The raw weights will be charted on control charts featuring average weight and range.
- c) IQF – Patties will be IQF so the individual pieces do not stick together after they are packaged and packed.
- d) Pink Appearance – Patties with pink appearance (internal) will not be allowed.

**3. SERVING SIZE**

The serving size will be targeted to meet the 2.0 ounces meat/meat alternative “as served” requirement for Child Nutrition (CN) Programs and also to meet the CN labeling requirement as required on the package.

**4. COOKING TEMPERATURE**

All products will be fully cooked in accordance with FSIS regulations.

**5. METAL DETECTION**

All products will be free of metal contaminants. Detection of stainless steel, ferrous, and non-ferrous (e.g., lead, copper, and aluminum) metals is required. The equipment, location, detection procedure, sensitivity levels, frequency of equipment validation, and corrective action procedures shall be described.

**B. FINISHED PRODUCT LIMITATIONS****1. FAT**

The fat content of the finished product will not exceed 15 percent ( $\text{Percent Fat} = (\text{Total Fat} \div \text{Serving Size}) \times 100$ ). The declared fat content will be stated on the nutrition facts panel on each can label according to FSIS nutritional labeling regulations (no more than 15 g per 100 g serving).

**2. SODIUM**

Sodium level will not exceed 700 mg per 100 g serving.

**3. MICROBIAL**

Contractor will have documented plan to comply with the latest FSIS *Salmonella* and *Listeria monocytogenes* requirements for ready-to-eat foods.

**C. COOKING INSTRUCTIONS**

Cooking instructions for the end-user will be provided in the offeror’s technical proposal. The pork patties will be prepared so that the end-user may bake them in a conventional or convection type oven.

**D. PREPARATION FOR DELIVERY****1. PACKAGING AND PACKING**

- a) Packaging – Patties will be either vacuum packaged or packed in a sealed (tamper proof) package. Pork taco fillings and sloppy joe mix will be packaged within “cook-n-ship bags” high oxygen and high moisture barrier casings.

- b) Packing – Four (4) 10-pound, five (5) 8-pound, or eight (8) 5-pound primary containers (packages) will be packed in a 40-pound (net weight) shipping container.

## 2. LABELING

The shipping containers will be in compliance with the National Motor Freight Classification, or the Uniform Freight Classification, as applicable. Both primary and shipping containers will be labeled to include all information required by FSIS regulations.

- a) Container Style – Only one size and style of primary (bags) and shipping containers may be offered in an individual shipping unit.
- b) Primary Container Labels – Primary container labels will contain the following information:
- (1) “Best-If-Used-By” Date.
  - (2) Nutrition Facts Panel (based on actual nutritional analysis of the product).
  - (3) Traceability Code (traceable to production lot and date).
  - (4) CN Label.
- c) Shipping Container Labels – Shipping container labels will contain the following information:
- (1) USDA Shield (at least 2 inches high and appearing on the top of the container or on the principle display panel).



- (2) Contract Number.
- (3) Traceability Code (traceable to production lot and date).
- (4) Nutrition Facts Panel (based on actual nutritional analysis of the product).
- (5) Product Code (the appropriate product codes listed in the table below).

| Product Code                       |      |
|------------------------------------|------|
| Item                               | Code |
| Pork Taco Filling, Fully Cooked    | A680 |
| Breaded Pork Patties, Fully Cooked | A692 |
| Pork Sloppy Joe Mix, Fully Cooked  | A691 |

All labeling illustrations must be provided.

## 3. CLOSURE

Shipping containers will be closed by strapping, taping or gluing.

**4. PALLETIZED UNIT LOADS**

Shipping containers will be unitized and delivered on pallets. Pallet loads will be stacked in a manner that minimizes the overhang of the shipping containers over the edges of the pallets. A sufficient number of principle shipping container display panels will be exposed to facilitate examinations on each pallet.

- a) Pallet Condition – Only new or well-maintained pallets will be allowed.
- b) Pallet Size – Pallets will be flush, 48 inches long by 40 inches wide, stringer or block design, partial or full four-way entry, nonreversible, and suitable for use in the shipment of approximately 2,000 pounds of food product.
- c) Plastic Stretch-Wrap – The shipping containers will be held firmly in place by applying plastic stretch-wrap as tightly as possible around all of the tiers stacked on the pallet.

**E. PRODUCT ASSURANCE****1. DELIVERY UNIT**

Each delivery unit will consist of 1,000 cases and 40,000 pounds.

**2. DELIVERED PRODUCT**

- a) Temperature – All products will not exceed 0° F at the time of shipment and delivery.
- b) Sealing – All products must be delivered to AMS destinations under seal.

**3. WARRANTY AND COMPLAINT RESOLUTION**

- a) Warranty – The contractor will warrant that the product complies with all specification requirements, technical proposal declarations, and provisions set forth in this announcement.
- b) Complaint Resolution – Customer complaint resolution procedures will be included in the technical proposal. These procedures will include: a point of contact, investigation steps, intent to cooperate with AMS, and product replacement or monetary compensation. The procedures will be used to resolve product complaints from recipient agencies or AMS.

**4. NON-CONFORMING PRODUCT**

The contractor will ensure that product which does not conform to product requirements is identified and controlled to prevent unintended use or delivery. The contractor must have documented procedures that assure nonconforming product identification, segregation, and disposition in order to prevent misuse and that nonconforming product is not delivered to USDA.

**ITEM DESCRIPTION AND CHECKLIST  
OF REQUIREMENTS FOR  
COOKED BEEF ITEMS  
APRIL 2004**

**APPROVED**

USDA, AMS, LS, STDZ/RM 2607-S  
4/22/04

**I. ITEM DESCRIPTION**

- |                              |   |
|------------------------------|---|
| Item –                       | <p>(1) <u>Beef Patties with VPP, Homestyle, Fully Cooked</u> – This item consists of ground beef with vegetable protein product (VPP) with a handmade appearance and Individually Quick Frozen (IQF) for use as sandwiches or a stand-alone item.</p> <p>(2) <u>Beef Taco Filling, Fully Cooked</u> – This item consists of ground beef cooked in lightly seasoned ingredients for use in a variety of applications, including taco fillings, burritos, enchiladas and similar items.</p> <p>(3) <u>Beef Sloppy Joe Mix, Fully Cooked</u> – This item consists of ground beef cooked in seasoned tomato product for use in a variety of applications, including sandwich fillings and similar items.</p> <p>(4) <u>Breaded Beef Patties, Fully Cooked</u> – This item consists of ground beef that is formed into round or oval patties, breaded and IQF for use as sandwiches or a stand-alone item.</p> <p>(5) <u>Beef Crumbles, Fully Cooked</u> – This item consists of ground beef with vegetable protein product (VPP) that is lightly seasoned to a crumble size of ¼ inch maximum for use in a variety of applications such as chili, sloppy joe, tacos and spaghetti sauce, pizza, lasagna, casseroles, pasta dishes, and any recipe that calls for ground beef.</p> |
| Meat Component –             | Beef will comprise of at least 75% of the raw formula.  |
| Non-Meat Component –         | Non-meat components will comprise no more than 25% of the raw formula.  |
| Fat –                        | Fat will not exceed 15 grams per 100 gram serving.  |
| Sodium –                     | The sodium content will not exceed 700 milligrams per 100 gram serving.   |
| Packing –                    | Four (4) 10-pound, five (5) 8-pound, or eight (8) 5-pound primary containers (packages) will be packed in a 40-pound (net weight) shipping container.   |
| Delivery Unit –              | Each delivery unit will consist of 1000 cases and 40,000 pounds.  |
| Child Nutrition (CN) Label – | A CN label is required on all primary containers.   |

## II. CHECKLIST OF REQUIREMENTS

All items must be produced in accordance with Food Safety and Inspection Service (FSIS) regulations and the checklist of requirements.

### A. MATERIALS

The contractor's technical proposal must include procedures to address conformance with the following material requirements.

#### 1. MEAT COMPONENT

Beef will be the only meat component allowed.

- a) Domestic Origin of Meat Component – All cattle will originate from U.S. produced livestock.
- b) Harvesting (Slaughtering) – Cattle will be harvested in facilities that comply with the following requirements:
  - (1) Humane Handling – All cattle will be humanely handled in accordance with all applicable FSIS regulations, directives, and notices.
  - (2) Non-Ambulatory Disabled Cattle – Meat from carcasses of non-ambulatory disabled livestock will not be included in USDA purchased cooked beef items.
  - (3) Spinal Cord Removal – All spinal cord tissue will be removed during the harvesting process.

The domestic origin and harvesting requirements will be verified in accordance with ARC 1010 Procedure, USDA Supplier Eligibility Programs (<http://www.ams.usda.gov/lsg/arc/dovp.htm>).

- c) Boneless Beef – Boneless beef must comply with the following requirements:
  - (1) Handling – All boneless beef must be maintained in excellent condition. The contractor's technical proposal shall include detailed production scheduling that addresses time and temperature controls necessary to maintain excellent condition of the boneless beef. Frozen boneless beef may be used provided it is processed into the final product within 60 days from the date of pack.
  - (2) Objectionable Materials – Beef shall be free of lymph glands, organ tissue, and foreign materials.
- d) *E. coli* O157:H7 – Boneless and ground beef previously tested and found positive for *E. coli* O157:H7 will not be allowed.
- e) Mechanical Separation – Beef that is mechanically separated from bone with automatic deboning systems, advanced lean (meat) recovery (AMR) systems, or powered knives will not be allowed.
- f) Lean Finely Textured Beef (LFTB) – LFTB may be used at a rate not to exceed 15% of the meat component. However, LFTB is not allowed in crumbles.

**2. NON-MEAT COMPONENTS**

- a) Domestic Origin of Non-Meat Component – Significant ingredients (more than 1 percent) will be derived from U.S. produced products.
- b) Seasoning and Ingredient – Seasonings and other ingredients will be used to produce products with mild flavor profiles suitable for institutional feeding systems. For crumbles and patties, seasonings and other ingredients will comprise no more than 2% of the raw formula.
- c) Monosodium Glutamate (MSG) – MSG is not allowed.
- d) Vegetable Protein Product (VPP) – Beef Patties with VPP, Homestyle, Fully Cooked and Beef Crumbles, Fully Cooked must contain VPP in the raw formula that meets the following requirements:
  - (1) The source of the VPP will be soy and will be hydrated to yield no less than 18% protein (as is basis).
  - (2) Type and Texture – The physical characteristics of VPP, in the dry form, must be either granular or textured. The types of soy that may be used are soy concentrate or isolate (65% and 85% as is basis).
- e) Batter / Breading – For Breaded Beef Patties, Only – Enriched flour must be the primary ingredient, by weight, in the batter/breading combination.

**B. PROCESSING****1. BONE COLLECTOR / EXTRUDER SYSTEM**

A bone collector/extruder system must be in operation to remove bone, cartilage, and heavy connective tissue during the final grind.

**2. CRUMBLES**

- a) Crumble Size – The size of the crumbles will be no larger than ¼ inch.
- b) IQF – Crumbles will be IQF in a manner that will prevent the crumbles from sticking together after freezing.

**3. PATTIES**

- a) Beef Patties with VPP, Homestyle, Fully Cooked, Only – Patties must comply with the following:
  - (1) Handmade Appearance – Patties will have a “handmade” appearance.
  - (2) Grill Marks – At least one side of the patties will have grill (char) marks.
- b) Breaded Beef Patties, Fully Cooked, Only – Patties will have a round or oval shape.
- c) Raw Weight – The raw weight of the patties must be declared. The raw weights will be charted on control charts featuring average weight and range.



- d) IQF – Patties will be IQF so the individual pieces do not stick together after they are packaged and packed.
- e) Pink Appearance – Patties with pink appearance (internal or external) will not be allowed.

#### **4. SERVING SIZE**

The serving size will be targeted to meet the 2.0 ounces meat/meat alternative “as served” requirement for Child Nutrition (CN) Programs and also to meet the CN labeling requirement as required on the package.

#### **5. COOKING TEMPERATURE**

All products will be fully cooked in accordance with FSIS regulations.

#### **6. METAL DETECTION**

All products will be free of metal contaminants. Detection of stainless steel, ferrous, and non-ferrous (e.g., lead, copper, and aluminum) metals is required. The contractor's technical proposal must identify and describe the equipment, location, detection procedure, sensitivity levels, frequency of equipment validation, and corrective action procedures.

### **C. FINISHED PRODUCT LIMITATIONS**

#### **1. FAT**

The fat content of the finished product will not exceed 15 percent (Percent Fat =  $(\text{Total Fat} \div \text{Serving Size}) \times 100$ ). The declared fat content (as packaged) will be stated on the nutrition facts panel on each container label according to FSIS nutritional labeling regulations (no more than 15 g per 100 g serving)

#### **2. SODIUM**

The sodium content will not exceed 700 mg per 100 g serving.

#### **3. MICROBIAL**

The contractor will have a documented plan to comply with the current FSIS *Salmonella* and *Listeria monocytogenes* requirements for ready-to-eat foods.

### **D. COOKING INSTRUCTIONS**

Cooking instructions for the end-user will be provided in the offeror's technical proposal. The beef patties will be prepared so that the end-user may bake them in a conventional or convection type oven.

### **E. PREPARATION FOR DELIVERY**

#### **1. PACKAGING AND PACKING**

- a) Packaging – All products will be vacuum packaged or packed in a sealed (tamper proof) package. In addition, beef taco fillings and sloppy joe mix will be packaged in “cook-n-ship bags”.

- b) Packing – Four (4) 10-pound, five (5) 8-pound, or eight (8) 5-pound primary containers (packages) will be packed in a 40-pound (net weight) shipping container.

## 2. LABELING

The shipping containers will be in compliance with the National Motor Freight Classification, or the Uniform Freight Classification, as applicable. Both primary and shipping containers will be labeled to include all information required by FSIS regulations.

- a) Container Style – Only one size and style of primary (bags) and shipping containers may be offered in an individual shipping unit.
- b) Primary Container Labels – Primary container labels will contain the following information:
- (1) “Best-If-Used-By” Date.
  - (2) Nutrition Facts (based on actual nutritional analysis of the product).
  - (3) Traceability Code (traceable to production lot and date).
  - (4) CN Label.
- c) Shipping Container Labels – Shipping container labels will contain the following information:
- (1) USDA Shield (at least 2 inches high and appearing on the top of the container or on the principle display panel).



- (2) Contract Number.
- (3) Traceability Code (traceable to production lot and date).
- (4) Nutrition Facts (based on actual nutritional analysis of the product).
- (5) Product Code (the appropriate product codes listed in the table below).

| Product Code                                   |      |
|--|------|
| Item   | Code |
| Beef Patties with VPP, Homestyle, Fully Cooked | A628 |
| Beef Taco Filling, Fully Cooked                | A695 |
| Breaded Beef Patties, Fully Cooked             | A696 |
| Beef Sloppy Joe Mix, Fully Cooked              | A697 |
| Beef Crumbles, Fully Cooked                    | A698 |

All labeling illustrations must be provided.

**3. CLOSURE**

Shipping containers will be closed by strapping, taping or gluing.

**4. PALLETIZED UNIT LOADS**

Shipping containers will be unitized and delivered on pallets. Pallet loads will be stacked in a manner that minimizes the overhang of the shipping containers over the edges of the pallets. A sufficient number of principle shipping container display panels will be exposed to facilitate examinations on each pallet.

- a) Pallet Condition – Only new or well-maintained pallets will be allowed.
- b) Pallet Size – Pallets will be flush, 48 inches long by 40 inches wide, stringer or block design, partial or full four-way entry, nonreversible, and suitable for use in the shipment of approximately 2,000 pounds of food product.
- c) Plastic Stretch-Wrap – The shipping containers will be held firmly in place by applying plastic stretch-wrap as tightly as possible around all of the tiers stacked on the pallet.

**F. PRODUCT ASSURANCE****1. DELIVERY UNIT**

Each delivery unit will consist of 1,000 cases and 40,000 pounds.

**2. DELIVERED PRODUCT**

- a) Temperature – All products will not exceed 0° F at the time of shipment and delivery.
- b) Sealing – All products must be delivered to AMS destinations under seal.

**3. WARRANTY AND COMPLAINT RESOLUTION**

- a) Warranty – The contractor will warrant that the product complies with all specification requirements, technical proposal declarations, and provisions set forth in the program announcement.
- b) Complaint Resolution – Customer complaint resolution procedures will be included in the technical proposal. These procedures will include: a point of contact, investigation steps, intent to cooperate with AMS, and product replacement or monetary compensation. The procedures will be used to resolve product complaints from recipient agencies or AMS.

**4. NON-CONFORMING PRODUCT**

The contractor must have documented procedures that assure nonconforming product identification, segregation, and disposition in order to prevent misuse and that nonconforming product is not delivered to USDA. The contractor will ensure that product which does not conform to product requirements is identified and controlled to prevent unintended use or delivery.

## Browser Requirements For DEBES

Netscape 4.07 or above  
Internet Explorer 5.0 or above

The browser must be capable of handling 128 bit encryption. To determine this:

In IE, go to **Help/About Internet Explorer**. The display will show:

**Cipher Strength: 128-bit**

If it does not, you will need to download a new version of the browser from Microsoft at <http://www.microsoft.com>.

In Netscape, go to **Help/About Communicator**. The display will show:

**This version supports U.S. security with  
RSA Public Key Cryptography, MD2, MD5,  
RC2-CBC, RC4, DES-CBC,  
DES-EDE3-CBC.**

If it does not, you can download a new version of the browser from Netscape at <http://home.netscape.com/download/index.html?cp=djucc4>. Choose the 128 bit Strong Encryption\* version for your download.

The **Production** site URL address is:

<https://pcsd.usda.gov:3077/mdbc1000.exe?>

The **Vendor Practice** site URL address is:

<https://pcsd.usda.gov:3050/mdbc1000.exe?>

### Proxy Servers

Most connection problems are the result of improper browser version, not using 128 bit encryption, and connecting through your corporate proxy server. The proxy server must be set up to allow HTTPS protocol through the appropriate port; Vendor Practice is port 3050 and Production is port 3077.

**LIVESTOCK AND SEED PROGRAM  
VENDOR REQUEST FOR LOGON IDENTIFICATION (ID) AND PASSWORD  
DOMESTIC ELECTRONIC BID ENTRY SYSTEM (DEBES)**

**COMPANY INFORMATION:**

|   |              |                 |
|---|--------------|-----------------|
| <b>COMPANY NAME</b>   |              |                 |
| <b>Street Address</b>   |              |                 |
| <b>City</b>   | <b>State</b> | <b>Zip Code</b> |
| <b>Person to receive Vendor ID and password</b>   |              |                 |
| <b>Method to receive Vendor ID and password: (Complete one)</b>                                     |              |                 |
| Telephone: _____  |              |                 |
| Fax: _____  |              |                 |
| E-Mail: _____   |              |                 |
| <b>Assign 5-8 digit alpha/numeric personal identification number (PIN) for company:</b><br>_____    |              |                 |
| (This code will be used as verification by USDA when assigning or resetting a password)             |              |                 |
| <b>NAME AND TITLE OF PERSON REQUESTING LOGON ID:</b><br>(Must be authorized on SF-129 to sign bids) |              |                 |
| Name _____ Title _____  |              |                 |
| Signature _____ Date _____  |              |                 |

**TO BE COMPLETED BY USDA:**

|   |   |
|---|---|
| <b>VENDOR LOGON ID:</b><br><br>(“A” and 6 digits)                     | <b>PASSWORD:</b><br><br>(must be changed at first DEBES logon): |
| <b>Notified:</b> _____ <b>Date:</b> _____<br>(Company Representative) |   |
| <b>USDA Marketing Specialist:</b> _____ <b>Date:</b> _____            |   |

**PLEASE FAX TO: Contracting Officer, Commodity Procurement Branch, LSP Programs (202) 720-9538**

**FOR INFORMATION CALL (202) 720-2650**

**ACH VENDOR/MISCELLANEOUS PAYMENT  
ENROLLMENT FORM**

OMB No. 1510-0056

Expiration Date 01/31/2000

This form is used for Automated Clearing House (ACH) payments with an addendum record that contains payment-related information processed through the Vendor Express Program. Recipients of these payments should bring this information to the attention of their financial institution when presenting this form for completion.

**PRIVACY ACT STATEMENT**

The following information is provided to comply with the Privacy Act of 1974 (P.L. 93-579). All information collected on this form is required under the provisions of 31 U.S.C. 3322 and 31 CFR 210. This information will be used by the Treasury Department to transmit payment data, by electronic means to vendor's financial institution. Failure to provide the requested information may delay or prevent the receipt of payments through the Automated Clearing House Payment System.

**AGENCY INFORMATION**

FEDERAL PROGRAM AGENCY:

United States Department of Agriculture - Commodity Credit Corporation

AGENCY IDENTIFIER:

**USDA-FSA-KCMO**

AGENCY LOCATION CODE (ALC):

**0000-4992-2**

ACH FORMAT:

**DO NOT COMPLETE THIS**☒ CCD+☐ CTX☐ CTP

ADDRESS:

Attn: ACH Disbursements  
P. O. Box 419205  
Kansas City, Missouri 64141-6205

CONTACT PERSON NAME:

Bob Glenn

TELEPHONE NUMBER:

( 816 ) 926-6988

ADDITIONAL INFORMATION:

FAX Number: (816) 823-1364

**PAYEE/COMPANY INFORMATION**

NAME:

SSN NO. OR TAXPAYER ID NO.:

MAILING ADDRESS:

ENTITY/MASTER-CONTRACT CODE (If known) (Attach sheet if more space needed):

DISBURSEMENT STATEMENT MAILING ADDRESS (If different from above):

CONTACT PERSON NAME:

TELEPHONE NUMBER:

( )

SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL:

**FINANCIAL INSTITUTION INFORMATION**

NAME:

ADDRESS:

ACH COORDINATOR NAME:

TELEPHONE NUMBER:

( )

NINE-DIGIT ROUTING TRANSIT NUMBER

DEPOSITOR ACCOUNT TITLE:

DEPOSITOR ACCOUNT NUMBER:

LOCKBOX NUMBER:

TYPE OF ACCOUNT:

☐

CHECKING

☐

SAVINGS

☐

LOCKBOX

SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL (Could be the same as ACH Coordinator):

TELEPHONE NUMBER:

( )

## **INSTRUCTIONS FOR COMPLETING SF-3881 FORM**

1. Agency Information Section - Federal agency prints or types the name and address of the Federal program agency originating the vendor/miscellaneous payment, agency identifier, agency location code, contact person name and telephone number of the agency. Also, the appropriate box for ACH format is checked.
2. Payee/Company Information Section - Payee prints or types the name of the payee/company and address that will receive ACH vendor/miscellaneous payments, social security or taxpayer ID number, and contact person name and telephone number of the payee/company. Payee also verifies depositor account number, account title, and type of account entered by your financial institution in the Financial Institution Information Section.
3. Financial Institution Information Section - Financial institution prints or types the name and address of the payee/company's financial institution who will receive the ACH payment, ACH coordinator name and telephone number, nine-digit routing transit number, depositor (payee/company) account title and account number. Also, the box for type of account is checked, and the signature, title, and telephone number of the appropriate financial institution official are included.

## **BURDEN ESTIMATE STATEMENT**

The estimated average burden associated with this collection of information is 15 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Financial Management Service, Facilities Management Division, Property and Supply Branch, Room B-101, 3700 East-West Highway, Hyattsville, MD 20782 and the Office of Management and Budget, Paperwork Reduction Project (1510-0056), Washington, DC 20503.



United States  
Department of  
Agriculture

Agricultural  
Marketing  
Service

STOP 0253, Room 2610-South  
1400 Independence Avenue, SW  
Washington, DC 20250

### ADDRESS INFORMATION FOR AMS COMMODITY PURCHASE PROGRAM

|  |  |               |
|--|--|---------------|
| Vendor Name and Address:<br><br>Contracts will be awarded and mailed to address provided.  | Company Name:  |               |
|  | Contact:   |               |
|  | Address-Street:  |               |
|  | Address-P.O. Box:  |               |
|  | City, State, Zip:  |               |
|  | Fed. Meat Insp. Est. No.<br>Or State Insp. No. as appropriate:   |               |
|  | Phone:   | Fax:          |
|  | E-Mail Address:  |               |
| Payment Disbursement Statement address:<br>Payments to Vendors must be made electronically. To set up electronic transfer, contact the Kansas City Mgmt. Office (816/926-6988)<br><br><input type="checkbox"/> ACH <input type="checkbox"/> In Process | Company Name:  |               |
|  | Contact:   |               |
|  | Address-Street:  |               |
|  | Address-P.O. Box:  |               |
|  | City, State, Zip:  |               |
|  | Phone:   |               |
|  | Taxpayer Identification No. (TIN #)  |               |
|  | Plant Address:<br><br>If Vendor address is same for plant, write "Same".<br><br>If multiple plants, attach additional pages. | Company Name: |
| Contact:   |  |               |
| Address-Street:  |  |               |
| Address-P.O. Box:  |  |               |
| City, State, Zip:  |  |               |
| Phone:   |  |               |
| Plant's Shipping Point Address:<br><br>If Plant address is same for shipping, write "Same".<br><br>If multiple shipping points, attach additional pages.   | Company Name:  |               |
|  | Contact:   |               |
|  | Address-Street:  |               |
|  | Address-P.O. Box:  |               |
|  | City, State, Zip:  |               |
|  | Phone:   |               |
| Notice to Deliver Address:   | Company Name:  |               |
|  | Contact:   |               |
|  | Address-Street:  |               |
|  | Address-P.O. Box:  |               |
|  | City, State, Zip:  |               |
|  | Phone:   |               |

Signature & Title (Authorized Company Representative)

Date

PLEASE RETURN THIS FORM PRIOR TO SUBMITTING A BID

Send by FAX to Contracting Officer, Livestock & Seed Program, AMS, USDA; 202/720-9538



|  |                          |            |   |  |   |  |           |   |             |
|--|--------------------------|------------|---|--|---|--|-----------|---|-------------|
| <b>SOLICITATION MAILING LIST APPLICATION</b>   |                          |            |   | 1. TYPE OF APPLICATION<br><input type="checkbox"/> INITIAL <input type="checkbox"/> REVISION |   | 2. DATE  |           | OMB No.: 9000-0002<br>Expires: 10/31/97 |             |
| <b>NOTE: Please complete all items on this form. Insert N/A in items not applicable. See reverse for instruction.</b><br>Public reporting burden for this collection of information is estimated to average .58 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (MVR), Federal Acquisition Policy Division, GSA, Washington, DC 20405. |                          |            |   |  |   |  |           |   |             |
| 3. SUBMIT TO   | a. FEDERAL AGENCY'S NAME |            |   |  | 4. APPLICANT  | a. NAME <span style="float: right;">FI Est. #</span>                   |           |   |             |
|  | b. STREET ADDRESS        |            |   |  |   | b. STREET ADDRESS  |           | c. COUNTY                               |             |
|  | c. CITY                  |            | d. STATE  | e. ZIP CODE  |   | d. CITY  |           | e. STATE                                | f. ZIP CODE |
| 5. TYPE OF ORGANIZATION (Check one)  |                          |            |   |  | 6. ADDRESS TO WHICH SOLICITATIONS ARE TO BE MAILED (If different than item 4) |  |           |   |             |
| <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> NON-PROFIT ORGANIZATION<br><input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION, INCORPORATED UNDER THE LAWS OF THE STATE OF:  |                          |            |   |  | a. STREET ADDRESS   |  | b. COUNTY |   |             |
|  |                          |            |   |  | c. CITY   |  | d. STATE  | e. ZIP CODE                             |             |
| <b>7. NAMES OF OFFICERS, OWNERS, OR PARTNERS</b>   |                          |            |   |  |   |  |           |   |             |
| a. PRESIDENT   |                          |            | b. VICE PRESIDENT   |  |   | c. SECRETARY   |           |   |             |
| d. TREASURER   |                          |            | e. OWNERS OR PARTNERS   |  |   |  |           |   |             |
| <b>8. AFFILIATES OF APPLICANT</b>  |                          |            |   |  |   |  |           |   |             |
| NAME   |                          |            | LOCATION  |  |   | NATURE OF AFFILIATION  |           |   |             |
|  |                          |            |   |  |   |  |           |   |             |
|  |                          |            |   |  |   |  |           |   |             |
| <b>9. PERSONS AUTHORIZED TO SIGN OFFERS AND CONTRACTS IN YOUR NAME (Indicate if agent)</b>   |                          |            |   |  |   |  |           |   |             |
| NAME   |                          |            | OFFICIAL CAPACITY   |  |   | TELEPHONE NUMBER   |           |   |             |
|  |                          |            |   |  |   | AREA CODE  |           | NUMBER                                  |             |
|  |                          |            |   |  |   |  |           |   |             |
|  |                          |            |   |  |   |  |           |   |             |
| 10. IDENTIFY EQUIPMENT, SUPPLIES, AND/OR SERVICES ON WHICH YOU DESIRE TO MAKE AN OFFER (See attached Federal Agency's supplemental listing and instruction, if any)  |                          |            |   |  |   |  |           |   |             |
| 11a. SIZE OF BUSINESS (See definitions on reverse)   |                          |            | 11b. AVERAGE NUMBER OF EMPLOYEES (including affiliates) FOR FOUR PRECEDING CALENDAR QUARTERS  |  |   | 11c. AVERAGE ANNUAL SALES OR RECEIPTS FOR PRECEDING THREE FISCAL YEARS |           |   |             |
| <input type="checkbox"/> SMALL BUSINESS (If checked, complete items 11B and 11C) <input type="checkbox"/> OTHER THAN SMALL BUSINESS  |                          |            |   |  |   | \$   |           |   |             |
| 12. TYPE OF OWNERSHIP (See definitions on reverse) (Not applicable for other than small businesses)  |                          |            | 13. TYPE OF BUSINESS (See definitions on reverse)   |  |   |  |           |   |             |
| <input type="checkbox"/> DISADVANTAGED BUSINESS <input type="checkbox"/> WOMAN-OWNED BUSINESS  |                          |            | <input type="checkbox"/> MANUFACTURER OR PRODUCER <input type="checkbox"/> CONSTRUCTION CONCERN <input type="checkbox"/> SURPLUS DEALER<br><input type="checkbox"/> SERVICE ESTABLISHMENT <input type="checkbox"/> RESEARCH AND DEVELOPMENT |  |   |  |           |   |             |
| 14. DUNS NO. (If available)  |                          |            | TIN #   |  |   | 15. HOW LONG IN PRESENT BUSINESS?                                      |           |   |             |
|  |                          |            |   |  |   |  |           |   |             |
| <b>16. FLOORSPACE (Square Feet/ft<sup>2</sup>)</b>   |                          |            |   |  | <b>17. NET WORTH</b>  |  |           |   |             |
| a. MANUFACTURING   |                          |            | b. WAREHOUSE  |  | a. DATE   |  |           | b. AMOUNT                               |             |
|  |                          |            |   |  |   |  |           | \$                                      |             |
| <b>18. SECURITY CLEARANCE (If applicable, check highest clearance authorized)</b>  |                          |            |   |  |   |  |           |   |             |
| FOR  |                          | TOP SECRET | SECRET  | CONFIDENTIAL   | c. NAMES OF AGENCIES GRANTING SECURITY CLEARANCES                             |  |           | d. DATES GRANTED                        |             |
| a. KEY PERSONNEL   |                          |            |   |  |   |  |           |   |             |
| b. PLANT ONLY  |                          |            |   |  |   |  |           |   |             |
| The information supplied herein (including all pages attached) is correct and neither the applicant nor any person (or concern) in any connection with the applicant as a principal or officer, so far as is known, is now debarred or otherwise declared ineligible by any agency of the Federal Government from making offers for furnishing materials, supplies, or services to the Government or any agency thereof.   |                          |            |   |  |   |  |           |   |             |
| 19a. NAME OF PERSON AUTHORIZED TO SIGN (Type or print)   |                          |            |   |  | 20. SIGNATURE   |  |           | 21. DATE SIGNED                         |             |
| 19b. TITLE OF PERSON AUTHORIZED TO SIGN (Type or print)  |                          |            |   |  |   |  |           |   |             |
|  |                          |            |   |  |   |  |           |   |             |
| AUTHORIZED FOR LOCAL REPRODUCTION<br>Previous edition not usable   |                          |            |   |  | STANDARD FORM 129 (REV. 12-96)<br>Prescribed by GSA - FAR (48 CFR) 53.214(e)  |  |           |   |             |

## INSTRUCTIONS

Persons or concerns wishing to be added to a particular agency's bidder's mailing list for supplies or services shall file this properly completed Solicitation Mailing List Application, together with such other lists as may be attached to this application form, with each procurement office of the Federal agency with which they desire to do business. If a Federal agency has attached a Supplemental Commodity list with instructions, complete the application as instructed. Otherwise, identify in Item 10 the equipment, supplies, and/or services on which you desire to bid. (Provide Federal Supply Class or Standard Industrial Classification codes, if available.) The application shall be submitted and signed by the principal as distinguished from an agent, however constituted.

After placement on the bidder's mailing list of an agency, your failure to respond (submission of bid, or notice in writing, that you are unable to bid on that particular transaction but wish to remain on the active bidder's mailing list for that particular item) to solicitations will be understood by the agency to indicate lack of interest and concurrence in the removal of your name from the purchasing activity's solicitation mailing for items concerned.

### SIZE OF BUSINESS DEFINITIONS (See Item 11A.)

a. Small business concern - A small business concern for the purpose of Government procurement is a concern, including its affiliates, which is independently owned and operated, is not dominant in the field of operation in which it is competing for Government contracts, and can further qualify under the criteria concerning number of employees, average annual receipts, or the other criteria, as prescribed by the Small Business Administration. (See Code of Federal Regulations, Title 13, Part 121, as amended, which contains detailed industry definitions and related procedures.)

b. Affiliates - Business concerns are affiliates of each other when either directly or indirectly (i) one concern controls or has the power to control the other, or (ii) a third party controls or has the power to control both. In determining whether concerns are independently owned and operated and whether or not affiliation exists, consideration is given to all appropriate factors including common ownership, common management, and contractual relationship. (See Items 8 and 11A.)

c. Number of employees - (Item 11B) In connection with the determination of small business status, "number of employees" means the average employment of any concern, including the employees of its domestic and foreign affiliates, based on the number of persons employed on a full-time, part-time, temporary or other basis during each of the pay periods of the preceding 12 months. If a concern has not been in existence for 12 months, "number of employees" means the average employment of such concern and its affiliates during the period that such concern has been in existence based on the number of persons employed during each of the pay periods of the period that such concern has been in business.

### TYPE OF OWNERSHIP DEFINITIONS (See Item 12.)

a. "Disadvantaged business concern" - means any business concern (1) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and (2) whose management and daily business operations are controlled by one or more of such individuals.

b. "Women-owned business" - means a business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.

### TYPE OF BUSINESS DEFINITIONS (See Item 13.)

a. "Manufacturer or producer" - means a person (or concern) owning, operating, or maintaining a store, warehouse, or other establishment that produces, on the premises, the materials, supplies, articles or equipment of the general character of those listed in Item 10, or in the Federal Agency's Supplemental Commodity List, if attached.

b. "Service establishment" - means a concern (or person) which owns, operates, or maintains any type of business which is principally engaged in the furnishing of nonpersonal services, such as (but not limited to) repairing, cleaning, redecorating, or rental of personal property, including the furnishing of necessary repair parts or other supplies as a part of the services performed.

- COMMERCE BUSINESS DAILY - The Commerce Business Daily, published by the Department of Commerce, contains information concerning proposed procurements, sales, and contract awards. For further information concerning this publication, contact your local Commerce Field Office.